

Calendar No. 189

104TH CONGRESS
1ST SESSION

H. R. 2127

[Report No. 104-145]

AN ACT

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes.

AUGUST 7 (legislative day, JULY 10), 1995

Received; read twice and referred to the Committee on
Appropriations

SEPTEMBER 15 (legislative day, SEPTEMBER 5), 1995

Reported with amendments

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IN THE SENATE OF THE UNITED STATES

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Reported by Mr. SPECTER, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of Labor, Health and Human Services, and
6 Education, and related agencies for the fiscal year ending
7 September 30, 1996, and for other purposes, namely:

1 TITLE I—DEPARTMENT OF LABOR

2 EMPLOYMENT AND TRAINING ADMINISTRATION

3 TRAINING AND EMPLOYMENT SERVICES

4 For expenses necessary to carry into effect the Job
5 Training Partnership Act, as amended, including the pur-
6 chase and hire of passenger motor vehicles, the construc-
7 tion, alteration, and repair of buildings and other facili-
8 ties, and the purchase of real property for training centers
9 as authorized by the Job Training Partnership Act; *para-*
10 *graph (3) of section 506(a) of title V of the Older Americans*
11 *Act of 1965, as amended*, title II of the Civil Rights Act
12 of 1991; the Women in Apprenticeship and Nontraditional
13 Occupations Act; National Skill Standards Act of 1994;
14 and the School-to-Work Opportunities Act;
15 ~~\$3,180,441,000~~ \$3,182,512,000 plus reimbursements, of
16 which ~~\$2,936,154,000~~ \$3,232,512,000 is available for obli-
17 gation for the period July 1, 1996 through June 30, 1997;
18 of which ~~\$148,535,000~~ \$121,467,000 is available for the
19 period July 1, 1996 through June 30, 1999 for necessary
20 expenses of construction, rehabilitation, and acquisition of
21 Job Corps centers; and of which ~~\$95,000,000~~
22 \$122,500,000 shall be available from July 1, 1996 through
23 September 30, 1997, for carrying out activities of the
24 School-to-Work Opportunities Act: *Provided*, That
25 ~~\$50,000,000~~ \$55,004,000 shall be for carrying out section

1 401 of the Job Training Partnership Act, ~~\$65,000,000~~
 2 ~~\$73,570,000~~ shall be for carrying out section 402 of such
 3 Act, ~~\$7,300,000~~ shall be for carrying out section 441 of
 4 such Act, ~~\$5,060,000~~ shall be for all activities conducted
 5 by and through the National Occupational Information Co-
 6 ordinating Committee under such Act, ~~\$830,000,000~~
 7 ~~\$745,700,000~~ shall be for carrying out title II, part A of
 8 such Act, and ~~\$126,672,000~~ ~~\$311,460,000~~ shall be for car-
 9 rying out title II, part C of such Act: *Provided further,*
 10 That no funds from any other appropriation shall be used
 11 to provide meal services at or for Job Corps centers: *Pro-*
 12 *vided further, That, notwithstanding any other provision*
 13 *of law, the Secretary of Labor may waive any of the re-*
 14 *quirements contained in sections 4, 104, 105, 107, 108, 121,*
 15 *164, 204, 253, 254, 264, 301, 311, 313, 314, and 315 of*
 16 *the Job Training Partnership Act in order to assist States*
 17 *in improving State workforce development systems, pursu-*
 18 *ant to a request submitted by a State that has prior to the*
 19 *date of enactment of this Act executed a Memorandum of*
 20 *Understanding with the United States requiring such State*
 21 *to meet agreed upon outcomes: Provided further, That funds*
 22 *used from this Act to carry out title III of the Job Training*
 23 *Partnership Act shall not be subject to the limitation con-*
 24 *tained in subsection (b) of section 315 of such Act; that the*
 25 *waiver allowing a reduction in the cost limitation relating*

1 to retraining services described in subsection (a)(2) of such
2 section 315 may be granted with respect to funds from this
3 Act if a substate grantee demonstrates to the Governor that
4 such waiver is appropriate due to the availability of low-
5 cost retraining services, is necessary to facilitate the provi-
6 sion of needs-related payments to accompany long-term
7 training, or is necessary to facilitate the provision of appro-
8 priate basic readjustment services and that funds used from
9 this Act to carry out the Secretary's discretionary grants
10 under part B of such title III may be used to provide needs-
11 related payments to participants who, in lieu of meeting
12 the requirements relating to enrollment in training under
13 section 314(e) of such Act, are enrolled in training by the
14 end of the sixth week after funds have been awarded: Pro-
15 vided further, That service delivery areas may transfer
16 funding provided herein under authority of title II-C of
17 the Job Training Partnership Act to the program author-
18 ized by title II-B of that Act, if such transfer is approved
19 by the Governor: Provided further, That service delivery
20 areas and substate areas may transfer funding provided
21 herein under authority of title II-A and title III of the Job
22 Training Partnership Act between the programs authorized
23 by those titles of the Act, if such transfer is approved by
24 the Governor: Provided further, That, notwithstanding any
25 other provision of law, any proceeds from the sale of Job

1 *Corps Center facilities shall be retained by the Secretary*
2 *of Labor to carry out the Job Corps program.*

3 COMMUNITY SERVICE EMPLOYMENT FOR OLDER

4 AMERICANS

5 ~~To carry out title V of the Older Americans Act of~~
6 ~~1965, as amended, \$350,000,000.~~

7 *To carry out the activities for national grants or con-*
8 *tracts with public agencies and public or private nonprofit*
9 *organizations under paragraph (1)(A) of section 506(a) of*
10 *title V of the Older Americans Act of 1965, as amended,*
11 *or to carry out older worker activities as subsequently au-*
12 *thorized, \$273,000,000.*

13 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

14 For payments during the current fiscal year of trade
15 adjustment benefit payments and allowances under part
16 I, and for training, for allowances for job search and relo-
17 cation, and for related State administrative expenses
18 under part II, subchapters B and D, chapter 2, title II
19 of the Trade Act of 1974, as amended, \$346,100,000, to-
20 gether with such amounts as may be necessary to be
21 charged to the subsequent appropriation for payments for
22 any period subsequent to September 15 of the current
23 year.

1 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
2 SERVICE OPERATIONS

3 For activities authorized by the Act of June 6, 1933,
4 as amended (29 U.S.C. 49–49l–1; 39 U.S.C.
5 3202(a)(1)(E)); title III of the Social Security Act, as
6 amended (42 U.S.C. 502–504); necessary administrative
7 expenses for carrying out 5 U.S.C. 8501–8523, and sec-
8 tions 225, 231–235, 243–244, and 250(d)(1), 250(d)(3),
9 title II of the Trade Act of 1974, as amended; as author-
10 ized by section 7c of the Act of June 6, 1933, as amended,
11 necessary administrative expenses under sections
12 101(a)(15)(H), 212(a)(5)(A), (m) (2) and (3), (n)(1), and
13 218(g) (1), (2), and (3), and 258(c) of the Immigration
14 and Nationality Act, as amended (8 U.S.C. 1101 et seq.);
15 necessary administrative expenses to carry out section
16 221(a) of the Immigration Act of 1990, ~~\$125,328,000~~
17 ~~\$117,328,000~~, together with not to exceed ~~\$3,107,404,000~~
18 ~~\$3,104,194,000~~ (including not to exceed \$1,653,000 which
19 may be used for amortization payments to States which
20 had independent retirement plans in their State employ-
21 ment service agencies prior to 1980, and including not to
22 exceed \$2,000,000 which may be obligated in contracts
23 with non-State entities for activities such as occupational
24 and test research activities which benefit the Federal-
25 State Employment Service System), which may be ex-

1 pended from the Employment Security Administration ac-
2 count in the Unemployment Trust Fund, and of which the
3 sums available in the allocation for activities authorized
4 by title III of the Social Security Act, as amended (42
5 U.S.C. 502–504), and the sums available in the allocation
6 for necessary administrative expenses for carrying out 5
7 U.S.C. 8501–8523, shall be available for obligation by the
8 States through December 31, 1996, except that funds
9 used for automation acquisitions shall be available for obli-
10 gation by States through September 30, 1998; and of
11 which ~~\$125,328,000~~ *\$115,452,000*, together with not to ex-
12 ceed \$738,283,000 of the amount which may be expended
13 from said trust fund shall be available for obligation for
14 the period July 1, 1996, through June 30, 1997, to fund
15 activities under the Act of June 6, 1933, as amended, in-
16 cluding the cost of penalty mail made available to States
17 in lieu of allotments for such purpose, and of which
18 \$216,333,000 shall be available only to the extent nec-
19 essary for additional State allocations to administer unem-
20 ployment compensation laws to finance increases in the
21 number of unemployment insurance claims filed and
22 claims paid or changes in a State law: *Provided*, That to
23 the extent that the Average Weekly Insured Unemploy-
24 ment (AWIU) for fiscal year 1996 is projected by the De-
25 partment of Labor to exceed 2.785 million, an additional

1 \$28,600,000 shall be available for obligation for every
2 100,000 increase in the AWIU level (including a pro rata
3 amount for any increment less than 100,000) from the
4 Employment Security Administration Account of the Un-
5 employment Trust Fund: *Provided further*, That funds ap-
6 propriated in this Act which are used to establish a na-
7 tional one-stop career center network may be obligated in
8 contracts, grants or agreements with non-State entities:
9 *Provided further*, That funds appropriated under this Act
10 for activities authorized under the Wagner-Peyser Act, as
11 amended, and title III of the Social Security Act, may be
12 used by the States to fund integrated Employment Service
13 and Unemployment Insurance automation efforts, not-
14 withstanding cost allocation principles prescribed under
15 Office of Management and Budget Circular A-87.

16 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
17 OTHER FUNDS

18 For repayable advances to the Unemployment Trust
19 Fund as authorized by sections 905(d) and 1203 of the
20 Social Security Act, as amended, and to the Black Lung
21 Disability Trust Fund as authorized by section 9501(c)(1)
22 of the Internal Revenue Code of 1954, as amended; and
23 for nonrepayable advances to the Unemployment Trust
24 Fund as authorized by section 8509 of title 5, United
25 States Code, and section 104(d) of Public Law 102-164,

1 and section 5 of Public Law 103–6, and to the “Federal
 2 unemployment benefits and allowances” account, to re-
 3 main available until September 30, 1997, \$369,000,000.

4 In addition, for making repayable advances to the
 5 Black Lung Disability Trust Fund in the current fiscal
 6 year after September 15, 1996, for costs incurred by the
 7 Black Lung Disability Trust Fund in the current fiscal
 8 year, such sums as may be necessary.

9 *ADVANCES TO THE EMPLOYMENT SECURITY ADMINISTRA-*
 10 *TION ACCOUNT OF THE UNEMPLOYMENT TRUST FUND*
 11 *(RESCISSION)*

12 *Amounts remaining unobligated under this heading as*
 13 *of September 30, 1995, are hereby rescinded.*

14 PROGRAM ADMINISTRATION

15 For expenses of administering employment and train-
 16 ing programs and for carrying out section 908 of the So-
 17 cial Security Act, ~~\$83,505,000~~ \$83,054,000, together with
 18 not to exceed ~~\$40,974,000~~ \$40,793,000, which may be ex-
 19 pended from the Employment Security Administration ac-
 20 count in the Unemployment Trust Fund.

21 PENSION AND WELFARE BENEFITS ADMINISTRATION

22 SALARIES AND EXPENSES

23 For necessary expenses for Pension and Welfare Ben-
 24 efits Administration, ~~\$64,113,000~~ \$65,740,000.

1 PENSION BENEFIT GUARANTY CORPORATION

2 PENSION BENEFIT GUARANTY CORPORATION FUND

3 The Pension Benefit Guaranty Corporation is author-
4 ized to make such expenditures, including financial assist-
5 ance authorized by section 104 of Public Law 96-364,
6 within limits of funds and borrowing authority available
7 to such Corporation, and in accord with law, and to make
8 such contracts and commitments without regard to fiscal
9 year limitations as provided by section 104 of the Govern-
10 ment Corporation Control Act, as amended (31 U.S.C.
11 9104), as may be necessary in carrying out the program
12 through September 30, 1996, for such Corporation: *Pro-*
13 *vided*, That not to exceed \$10,603,000 shall be available
14 for administrative expenses of the Corporation: *Provided*
15 *further*, That expenses of such Corporation in connection
16 with the collection of premiums, the termination of pen-
17 sion plans, for the acquisition, protection or management,
18 and investment of trust assets, and for benefits adminis-
19 tration services shall be considered as non-administrative
20 expenses for the purposes hereof, and excluded from the
21 above limitation.

22 EMPLOYMENT STANDARDS ADMINISTRATION

23 SALARIES AND EXPENSES

24 For necessary expenses for the Employment Stand-
25 ards Administration, including reimbursement to State,

1 Federal, and local agencies and their employees for inspec-
2 tion services rendered, ~~\$246,967,000~~ \$259,190,000, to-
3 gether with \$978,000 which may be expended from the
4 Special Fund in accordance with sections 39(c) and 44(j)
5 of the Longshore and Harbor Workers' Compensation Act:
6 *Provided*, That the Secretary of Labor is authorized to ac-
7 cept, retain, and spend, until expended, in the name of
8 the Department of Labor, all sums of money ordered to
9 be paid to the Secretary of Labor, in accordance with the
10 terms of the Consent Judgment in Civil Action No. 91-
11 0027 of the United States District Court for the District
12 of the Northern Mariana Islands (May 21, 1992): *Pro-*
13 *vided further*, That the Secretary of Labor is authorized
14 to establish and, in accordance with 31 U.S.C. 3302, col-
15 lect and deposit in the Treasury fees for processing appli-
16 cations and issuing certificates under sections 11(d) and
17 14 of the Fair Labor Standards Act of 1938, as amended
18 (29 U.S.C. 211(d) and 214) and for processing applica-
19 tions and issuing registrations under Title I of the Mi-
20 grant and Seasonal Agricultural Worker Protection Act,
21 29 U.S.C. 1801 et seq.

22 SPECIAL BENEFITS

23 (INCLUDING TRANSFER OF FUNDS)

24 For the payment of compensation, benefits, and ex-
25 penses (except administrative expenses) accruing during

1 the current or any prior fiscal year authorized by title 5,
2 chapter 81 of the United States Code; continuation of ben-
3 efits as provided for under the head “Civilian War Bene-
4 fits” in the Federal Security Agency Appropriation Act,
5 1947; the Employees’ Compensation Commission Appro-
6 priation Act, 1944; and sections 4(c) and 5(f) of the War
7 Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per
8 centum of the additional compensation and benefits re-
9 quired by section 10(h) of the Longshore and Harbor
10 Workers’ Compensation Act, as amended, \$218,000,000
11 together with such amounts as may be necessary to be
12 charged to the subsequent year appropriation for the pay-
13 ment of compensation and other benefits for any period
14 subsequent to August 15 of the current year: *Provided*,
15 That such sums as are necessary may be used under sec-
16 tion 8104 of title 5, United States Code, by the Secretary
17 to reimburse an employer, who is not the employer at the
18 time of injury, for portions of the salary of a reemployed,
19 disabled beneficiary: *Provided further*, That balances of re-
20 imbursements unobligated on September 30, 1995, shall
21 remain available until expended for the payment of com-
22 pensation, benefits, and expenses: *Provided further*, That
23 in addition there shall be transferred to this appropriation
24 from the Postal Service and from any other corporation
25 or instrumentality required under section 8147(c) of title

1 5, United States Code, to pay an amount for its fair share
 2 of the cost of administration, such sums as the Secretary
 3 of Labor determines to be the cost of administration for
 4 employees of such fair share entities through September
 5 30, 1996: *Provided further*, That of those funds trans-
 6 ferred to this account from the fair share entities to pay
 7 the cost of administration, ~~\$11,383,000~~ \$19,383,000 shall
 8 be made available to the Secretary of Labor for expendi-
 9 tures relating to capital improvements in support of Fed-
 10 eral Employees' Compensation Act administration, and
 11 the balance of such funds shall be paid into the Treasury
 12 as miscellaneous receipts: *Provided further*, That the Sec-
 13 retary may require that any person filing a notice of injury
 14 or a claim for benefits under Subchapter 5, U.S.C., chap-
 15 ter 81, or under subchapter 33, U.S.C. 901, et seq. (the
 16 Longshore and Harbor Workers' Compensation Act, as
 17 amended), provide as part of such notice and claim, such
 18 identifying information (including Social Security account
 19 number) as such regulations may prescribe.

20 BLACK LUNG DISABILITY TRUST FUND

21 (INCLUDING TRANSFER OF FUNDS)

22 For payments from the Black Lung Disability Trust
 23 Fund, ~~\$995,447,000~~ \$998,080,000, of which \$949,494,000
 24 shall be available until September 30, 1997, for payment
 25 of all benefits as authorized by section 9501(d) (1), (2),

1 (4), and (7), of the Internal Revenue Code of 1954, as
 2 amended, and interest on advances as authorized by sec-
 3 tion 9501(c)(2) of that Act, and of which ~~\$26,045,000~~
 4 *\$28,655,000* shall be available for transfer to Employment
 5 Standards Administration, Salaries and Expenses, and
 6 \$19,621,000 for transfer to Departmental Management,
 7 Salaries and Expenses, and ~~\$287,000~~ *\$310,000* for trans-
 8 fer to Departmental Management, Office of Inspector
 9 General, for expenses of operation and administration of
 10 the Black Lung Benefits program as authorized by section
 11 9501(d)(5)(A) of that Act: *Provided*, That in addition,
 12 such amounts as may be necessary may be charged to the
 13 subsequent year appropriation for the payment of com-
 14 pensation, interest, or other benefits for any period subse-
 15 quent to August 15 of the current year: *Provided further*,
 16 That in addition such amounts shall be paid from this
 17 fund into miscellaneous receipts as the Secretary of the
 18 Treasury determines to be the administrative expenses of
 19 the Department of the Treasury for administering the
 20 fund during the current fiscal year, as authorized by sec-
 21 tion 9501(d)(5)(B) of that Act.

22 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
 23 SALARIES AND EXPENSES

24 For necessary expenses for the Occupational Safety
 25 and Health Administration, ~~\$263,985,000~~ *\$296,656,000*

1 including not to exceed ~~\$65,319,000~~ \$67,084,000 which
2 shall be the maximum amount available for grants to
3 States under section 23(g) of the Occupational Safety and
4 Health Act, which grants shall be no less than fifty per-
5 cent of the costs of State occupational safety and health
6 programs required to be incurred under plans approved
7 by the Secretary under section 18 of the Occupational
8 Safety and Health Act of 1970; and, in addition, notwith-
9 standing 31 U.S.C. 3302, the Occupational Safety and
10 Health Administration may retain up to ~~\$500,000~~
11 \$750,000 per fiscal year of training institute course tuition
12 fees, otherwise authorized by law to be collected, and may
13 utilize such sums for occupational safety and health train-
14 ing and education grants: *Provided*, That none of the
15 funds appropriated under this paragraph shall be obli-
16 gated or expended to prescribe, issue, administer, or en-
17 force any standard, rule, regulation, or order under the
18 Occupational Safety and Health Act of 1970 which is ap-
19 plicable to any person who is engaged in a farming oper-
20 ation which does not maintain a temporary labor camp
21 and employs ten or fewer employees: *Provided further*,
22 That no funds appropriated under this paragraph shall be
23 obligated or expended to administer or enforce any stand-
24 ard, rule, regulation, or order under the Occupational
25 Safety and Health Act of 1970 with respect to any em-

1 ployer of ten or fewer employees who is included within
2 a category having an occupational injury lost workday case
3 rate, at the most precise Standard Industrial Classifica-
4 tion Code for which such data are published, less than the
5 national average rate as such rates are most recently pub-
6 lished by the Secretary, acting through the Bureau of
7 Labor Statistics, in accordance with section 24 of that Act
8 (29 U.S.C. 673), except—

9 (1) to provide, as authorized by such Act, con-
10 sultation, technical assistance, educational and train-
11 ing services, and to conduct surveys and studies;

12 (2) to conduct an inspection or investigation in
13 response to an employee complaint, to issue a cita-
14 tion for violations found during such inspection, and
15 to assess a penalty for violations which are not cor-
16 rected within a reasonable abatement period and for
17 any willful violations found;

18 (3) to take any action authorized by such Act
19 with respect to imminent dangers;

20 (4) to take any action authorized by such Act
21 with respect to health hazards;

22 (5) to take any action authorized by such Act
23 with respect to a report of an employment accident
24 which is fatal to one or more employees or which re-
25 sults in hospitalization of two or more employees,

1 and to take any action pursuant to such investiga-
2 tion authorized by such Act; and

3 (6) to take any action authorized by such Act
4 with respect to complaints of discrimination against
5 employees for exercising rights under such Act:

6 *Provided further*, That the foregoing proviso shall not
7 apply to any person who is engaged in a farming operation
8 which does not maintain a temporary labor camp and em-
9 ploys ten or fewer employees.

10 MINE SAFETY AND HEALTH ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses for the Mine Safety and
13 Health Administration, ~~\$185,154,000~~ \$200,646,000, in-
14 cluding purchase and bestowal of certificates and trophies
15 in connection with mine rescue and first-aid work, and the
16 hire of passenger motor vehicles; the Secretary is author-
17 ized to accept lands, buildings, equipment, and other con-
18 tributions from public and private sources and to pros-
19 ecute projects in cooperation with other agencies, Federal,
20 State, or private; the Mine Safety and Health Administra-
21 tion is authorized to promote health and safety education
22 and training in the mining community through cooperative
23 programs with States, industry, and safety associations;
24 and any funds available to the Department may be used,
25 with the approval of the Secretary, to provide for the costs

1 of mine rescue and survival operations in the event of a
2 major disaster: *Provided*, That none of the funds appro-
3 priated under this paragraph shall be obligated or ex-
4 pended to carry out section 115 of the Federal Mine Safe-
5 ty and Health Act of 1977 or to carry out that portion
6 of section 104(g)(1) of such Act relating to the enforce-
7 ment of any training requirements, with respect to shell
8 dredging, or with respect to any sand, gravel, surface
9 stone, surface clay, colloidal phosphate, or surface lime-
10 stone mine.

11 BUREAU OF LABOR STATISTICS

12 SALARIES AND EXPENSES

13 For necessary expenses for the Bureau of Labor Sta-
14 tistics, including advances or reimbursements to State,
15 Federal, and local agencies and their employees for serv-
16 ices rendered, ~~\$296,993,000~~ \$280,599,000, of which
17 \$11,549,000 shall be for expenses of revising the
18 Consumer Price Index and shall remain available until
19 September 30, 1997, together with not to exceed
20 ~~\$50,220,000~~ \$49,774,000, which may be expended from
21 the Employment Security Administration account in the
22 Unemployment Trust Fund.

1 DEPARTMENTAL MANAGEMENT

2 SALARIES AND EXPENSES

3 For necessary expenses for Departmental Manage-
4 ment, including the hire of three sedans, and including
5 up to ~~\$4,056,000~~ \$4,385,000 for the President's Commit-
6 tee on Employment of People With Disabilities,
7 ~~\$134,220,000~~ \$142,940,000; together with not to exceed
8 \$303,000, which may be expended from the Employment
9 Security Administration account in the Unemployment
10 Trust Fund.

11 WORKING CAPITAL FUND

12 The language under this heading in Public Law 85-
13 67, as amended, is further amended by adding the follow-
14 ing before the last period: “: *Provided further*, That within
15 the Working Capital Fund, there is established an Invest-
16 ment in Reinvention Fund (IRF), which shall be available
17 to invest in projects of the Department designed to
18 produce measurable improvements in agency efficiency
19 and significant taxpayer savings. Notwithstanding any
20 other provision of law, the Secretary of Labor may retain
21 up to \$3,900,000 of the unobligated balances in the De-
22 partment's annual Salaries and Expenses accounts as of
23 September 30, 1995, and transfer those amounts to the
24 IRF to provide the initial capital for the IRF, to remain
25 available until expended, to make loans to agencies of the
26 Department for projects designed to enhance productivity

1 and generate cost savings. Such loans shall be repaid to
2 the IRF no later than September 30 of the fiscal year
3 following the fiscal year in which the project is completed.
4 Such repayments shall be deposited in the IRF, to be
5 available without further appropriation action.”

6 ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT
7 AND TRAINING

8 Not to exceed ~~\$175,883,000~~ *\$170,390,000* may be de-
9 rived from the Employment Security Administration ac-
10 count in the Unemployment Trust Fund to carry out the
11 provisions of 38 U.S.C. 4100–4110A and 4321–4327, and
12 Public Law 103–353, and which shall be available for obli-
13 gation by the States through December 31, 1996.

14 OFFICE OF INSPECTOR GENERAL

15 For salaries and expenses of the Office of Inspector
16 General in carrying out the provisions of the Inspector
17 General Act of 1978, as amended, \$44,426,000, together
18 with not to exceed \$3,615,000, which may be expended
19 from the Employment Security Administration account in
20 the Unemployment Trust Fund.

21 GENERAL PROVISIONS

22 SEC. 101. None of the funds appropriated in this title
23 for the Job Corps shall be used to pay the compensation
24 of an individual, either as direct costs or any proration
25 as an indirect cost, at a rate in excess of \$125,000.

1 ~~SEC. 102. Section 427(c) of the Job Training Part-~~
2 ~~nership Act, as amended, is repealed.~~

3 SEC. 103. No amount of funds appropriated in this
4 Act for fiscal year 1996 may be used to implement, admin-
5 ister, or enforce any executive order, or other rule or
6 order, that prohibits Federal contracts with, or requires
7 the debarment of, or imposes other sanction on, a contrac-
8 tor on the basis that such contractor or organizational
9 unit thereof has permanently replaced lawfully striking
10 workers.

11 ~~SEC. 104. None of the funds made available in this~~
12 ~~Act to the Department of Labor or the Pension Benefit~~
13 ~~Guaranty Corporation may be used—~~

14 (1) to implement or administer Interpretive
15 ~~Bulletin 94-1, issued by the Secretary of Labor on~~
16 ~~June 23, 1994 (59 Fed. Reg. 32606; 29 C.F.R.~~
17 ~~2509.94-1),~~

18 (2) to establish or maintain, or to contract with
19 ~~(or otherwise provide assistance to) any other party~~
20 ~~to establish or maintain, any clearinghouse,~~
21 ~~database, or other listing which—~~

22 (A) makes available to employee benefit
23 ~~plans (as defined in section 3(3) of the Em-~~
24 ~~ployee Retirement Income Security Act of~~
25 ~~1974) information relating to the status of in-~~

1 vestments as economically targeted investments
2 referred to in such Interpretive Bulletin,

3 (B) provides assistance to employee benefit
4 plans (as so defined) or any other party to de-
5 velop or evaluate investments as economically
6 targeted investments referred to in such Inter-
7 pretive Bulletin, or

8 (C) identifies investments with respect to
9 which the Department or the Corporation will
10 withhold from undertaking enforcement actions
11 under such Act by reason of their status as eco-
12 nomically targeted investments referred to in
13 such Interpretive Bulletin,

14 (3) to administer or otherwise carry out the
15 contract entered into by the Department of Labor
16 designated “Contract No. J-9-P-4-0060” or any
17 other similar contract entered into by the Depart-
18 ment or the Corporation (except to the extent re-
19 quired by applicable law to provide for the imme-
20 diate termination of such contract), or

21 (4) to promote economically targeted invest-
22 ments referred to in such Interpretive Bulletin, ei-
23 ther by direct means, such as lecture or travel, or
24 by indirect means.

1 SEC. 105. None of the funds made available in this
2 Act may be used by the Occupational Safety and Health
3 Administration directly or through section 23(g) of the
4 Occupational Safety and Health Act for the development,
5 promulgation or issuance of any proposed or final stand-
6 ard or guideline regarding ergonomic protection or record-
7 ing and reporting occupational injuries and illnesses di-
8 rectly related thereto.

9 SEC. 106. Notwithstanding any other provision of
10 law, no funds shall be expended by the Occupational Safe-
11 ty and Health Administration for the enforcement of the
12 Fall Protection Standard published at subpart M of 29
13 CFR part 1926, until 30 days after a new standard has
14 been promulgated by the Secretary of Labor (“the Sec-
15 retary”).

16 The Secretary shall develop this standard no later
17 than 180 days after the enactment of this Act. Until the
18 publishing of the revised final rule, the Occupational Safe-
19 ty and Health Administration may only expend funds des-
20 ignated for the enforcement of an interim fall protection
21 standard which adjusts all height requirements referenced
22 at subpart M of 29 CFR part 1926 from 6 feet to 16
23 feet.

24 SEC. 107. None of the funds appropriated in this Act
25 may be obligated or expended by the Department of Labor

1 for the purposes of enforcement and the issuance of fines
2 under Hazardous Occupation Order Number 12 (HO 12)
3 with respect to the placement or loading of materials by
4 a person under 18 years of age into a cardboard baler
5 that is in compliance with the American National Stand-
6 ards Institute safety standard ANSI Z245.5 1990, and a
7 compactor that is in compliance with the American Na-
8 tional Standards Institute safety standard ANSI Z245.2
9 1992.

10 SEC. 108. None of the funds appropriated in this Act
11 may be obligated or expended by the Department of Labor
12 for the purposes of enforcement and the issuance of fines
13 under Hazardous Occupation Order Number 2 (HO 2)
14 with respect to incidental and occasional driving by minors
15 under age 18, unless the Secretary finds that the oper-
16 ation of a motor vehicle is the primary duty of the minor's
17 employment.

18 SEC. 109. Not to exceed 1 percent of any appropriation
19 made available for the current fiscal year for the Depart-
20 ment of Labor in this Act may be transferred between such
21 appropriations, but no such appropriation shall be in-
22 creased by more than 3 percent by any such transfers.

23 This title may be cited as the "Department of Labor
24 Appropriations Act, 1996".

1 TITLE II—DEPARTMENT OF HEALTH AND
 2 HUMAN SERVICES

3 HEALTH RESOURCES AND SERVICES ADMINISTRATION

4 HEALTH RESOURCES AND SERVICES

5 For carrying out titles II, III, VII, VIII, X, XIX, and
 6 XXVI of the Public Health Service Act, ~~title V of the So-~~
 7 ~~cial Security Act, and the Health Care Quality Improve-~~
 8 ~~ment Act of 1986, as amended, section 427(a) of the Fed-~~
 9 ~~eral Coal Mine Health and Safety Act, title V of the Social~~
 10 ~~Security Act, the Health Care Quality Improvement Act of~~
 11 ~~1986, as amended, Public Law 101-527, and the Native~~
 12 ~~Hawaiian Health Care Act of 1988, as amended,~~
 13 ~~\$2,927,122,000~~ \$2,951,159,000, of which \$411,000 shall
 14 remain available until expended for interest subsidies on
 15 loan guarantees made prior to fiscal year 1981 under part
 16 B of title VII of the Public Health Service Act: *Provided,*
 17 That the Division of Federal Occupational Health may
 18 utilize personal services contracting to employ professional
 19 management/administrative, and occupational health pro-
 20 fessionals: *Provided further,* That of the funds made avail-
 21 able under this heading, ~~\$933,000~~ \$858,000 shall be avail-
 22 able until expended for facilities renovations at the Gillis
 23 W. Long Hansen's Disease Center: *Provided further,* That
 24 in addition to fees authorized by section 427(b) of the
 25 Health Care Quality Improvement Act of 1986, fees shall

1 be collected for the full disclosure of information under
2 the Act sufficient to recover the full costs of operating the
3 National Practitioner Data Bank, and shall remain avail-
4 able until expended to carry out that Act: *Provided further,*
5 *That notwithstanding the last sentence of subsection (g)(3)*
6 *of section 224 of the Public Health Service Act, and para-*
7 *graphs (1) and (2) of subsection (k) of such section,*
8 *\$5,000,000 is available for fiscal year 1996 for a fund de-*
9 *scribed in paragraph (2) of subsection (k) of such section,*
10 *and subsection (g) of such section shall be deemed to apply*
11 *to acts or omissions which occur on or before December 31,*
12 *1996: Provided further, That of the funds made available*
13 *under this heading, \$193,349,000 shall be for the program*
14 *under title X of the Public Health Service Act to provide*
15 *for voluntary family planning projects: Provided further,*
16 *That amounts provided to said projects under such title*
17 *shall not be expended for abortions, that all pregnancy*
18 *counseling shall be nondirective, and that such amounts*
19 *shall not be expended for any activity (including the publi-*
20 *cation or distribution of literature) that in any way tends*
21 *to promote public support or opposition to any legislative*
22 *proposal or candidate for public office: Provided further,*
23 *That notwithstanding any other provision of law, funds*
24 *made available under this heading may be used to continue*
25 *operating the Council on Graduate Medical Education es-*

1 *tablished by section 301 of Public Law 102-408: Provided*
2 *further, That the Secretary shall use amounts available for*
3 *section 2603(b) of the Public Health Service Act as nec-*
4 *essary to ensure that fiscal year 1996 grant awards made*
5 *under section 2603(a) of such Act to eligible areas that re-*
6 *ceived such grants in fiscal year 1995 are not less than the*
7 *fiscal year 1995 level.*

8 MEDICAL FACILITIES GUARANTEE AND LOAN FUND

9 FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

10 For carrying out subsections (d) and (e) of section
11 1602 of the Public Health Service Act, \$8,000,000, to-
12 gether with any amounts received by the Secretary in con-
13 nection with loans and loan guarantees under title VI of
14 the Public Health Service Act, to be available without fis-
15 cal year limitation for the payment of interest subsidies.
16 During the fiscal year, no commitments for direct loans
17 or loan guarantees shall be made.

18 HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

19 For the cost of guaranteed loans, such sums as may
20 be necessary to carry out the purpose of the program, as
21 authorized by title VII of the Public Health Service Act,
22 as amended: *Provided*, That such costs, including the cost
23 of modifying such loans, shall be as defined in section 502
24 of the Congressional Budget Act of 1974: *Provided fur-*
25 *ther*, That these funds are available to subsidize gross obli-

gations for the total loan principal any part of which is to be guaranteed at not to exceed \$210,000,000. In addition, for administrative expenses to carry out the guaranteed loan program, ~~\$2,703,000~~ \$2,688,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: *Provided*, That for necessary administrative expenses, not to exceed \$3,000,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

VACCINE INJURY COMPENSATION

For payment of claims resolved by the United States Court of Federal Claims related to the administration of vaccines before October 1, 1988, \$110,000,000, to remain available until expended.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

(INCLUDING RESCISSION)

To carry out titles II, III, VII, XI, XV, XVII, ~~and XIX~~ XIX, and XXI of the Public Health Service Act, sections 101, 102, 103, 201, 202, and 203 of the Federal

1 Mine Safety and Health Act of 1977, and sections 20 and
 2 22 of the Occupational Safety and Health Act of 1970;
 3 including insurance of official motor vehicles in foreign
 4 countries; and hire, maintenance, and operation of air-
 5 craft, ~~\$2,085,831,000~~ \$2,052,783,000, of which
 6 ~~\$4,353,000~~ \$4,575,000 shall remain available until ex-
 7 pended for equipment and construction and renovation of
 8 facilities, and in addition, such sums as may be derived
 9 from authorized user fees, which shall be credited to this
 10 account: *Provided*, That in addition to amounts provided
 11 herein, up to ~~\$27,862,000~~ \$40,063,000 shall be available
 12 from amounts available under section 241 of the Public
 13 Health Service Act, to carry out the National Center for
 14 Health Statistics surveys: *Provided further*, That the Direc-
 15 tor may redirect the total amount made available under
 16 authority of Public Law 101-502, dated November 3, 1990,
 17 to activities the Director may so designate: *Provided fur-*
 18 *ther*, That the Congress is to be notified promptly of any
 19 such transfer.

20 In addition, \$39,100,000, to be derived from the Vio-
 21 lent Crime Reduction Trust Fund, for carrying out sec-
 22 tions 40151, 40261, and 40293 of Public Law 103-322.

23 *Of the amounts made available under this heading in*
 24 *Public Law 103-333, Public Law 103-112, and Public*

1 *Law 102-394 for immunization activities, \$53,000,000 are*
2 *hereby rescinded.*

3 NATIONAL INSTITUTES OF HEALTH

4 NATIONAL CANCER INSTITUTE

5 For carrying out section 301 and title IV of the Pub-
6 lic Health Service Act with respect to cancer,
7 ~~\$2,251,084,000~~ \$1,972,757,000.

8 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

9 For carrying out section 301 and title IV of the Pub-
10 lic Health Service Act with respect to cardiovascular, lung,
11 and blood diseases, and blood and blood products,
12 ~~\$1,355,866,000~~ \$1,266,465,000.

13 NATIONAL INSTITUTE OF DENTAL RESEARCH

14 For carrying out section 301 and title IV of the Pub-
15 lic Health Service Act with respect to dental disease,
16 ~~\$183,196,000~~ \$166,547,000.

17 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
18 KIDNEY DISEASES

19 For carrying out section 301 and title IV of the Pub-
20 lic Health Service Act with respect to diabetes and diges-
21 tive and kidney diseases, ~~\$771,252,000~~ \$740,818,000.

6 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
7 DISEASES

11 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

15 NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN
16 DEVELOPMENT

20 NATIONAL EYE INSTITUTE

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1 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
2 SCIENCES

3 For carrying out sections 301 and 311 and title IV
4 of the Public Health Service Act with respect to environ-
5 mental health sciences, ~~\$288,898,000~~ *\$275,861,000*.

6 NATIONAL INSTITUTE ON AGING

7 For carrying out section 301 and title IV of the Pub-
8 lic Health Service Act with respect to aging, ~~\$453,917,000~~
9 *\$441,072,000*.

10 NATIONAL INSTITUTE OF ARTHRITIS AND
11 MUSCULOSKELETAL AND SKIN DISEASES

12 For carrying out section 301 and title IV of the Pub-
13 lic Health Service Act with respect to arthritis, and mus-
14 culoskeletal and skin diseases, ~~\$241,828,000~~
15 *\$232,919,000*.

16 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
17 COMMUNICATION DISORDERS

18 For carrying out section 301 and title IV of the Pub-
19 lic Health Service Act with respect to deafness and other
20 communication disorders, ~~\$176,502,000~~ *\$170,562,000*.

21 NATIONAL INSTITUTE OF NURSING RESEARCH

22 For carrying out section 301 and title IV of the Pub-
23 lic Health Service Act with respect to nursing research,
24 ~~\$55,831,000~~ *\$49,624,000*.

1 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
 2 ALCOHOLISM

3 For carrying out section 301 and title IV of the Pub-
 4 lic Health Service Act with respect to alcohol abuse and
 5 alcoholism, ~~\$198,607,000~~ *\$183,733,000*.

6 NATIONAL INSTITUTE ON DRUG ABUSE

7 For carrying out section 301 and title IV of the Pub-
 8 lic Health Service Act with respect to drug abuse,
 9 ~~\$458,441,000~~ *\$295,554,000*.

10 NATIONAL INSTITUTE OF MENTAL HEALTH

11 For carrying out section 301 and title IV of the Pub-
 12 lic Health Service Act with respect to mental health,
 13 ~~\$661,328,000~~ *\$553,127,000*.

14 NATIONAL CENTER FOR RESEARCH RESOURCES

15 For carrying out section 301 and title IV of the Pub-
 16 lic Health Service Act with respect to research resources
 17 and general research support grants, ~~\$390,339,000~~
 18 *\$304,267,000: Provided, That none of these funds shall be*
 19 *used to pay recipients of the general research support*
 20 *grants program any amount for indirect expenses in con-*
 21 *nection with such grants: Provided further, That*
 22 *\$11,000,000 shall be for extramural facilities construction*
 23 *grants, of which \$2,500,000 shall be for grants authorized*
 24 *under section 481B of title IV of the Act.*

1 NATIONAL CENTER FOR HUMAN GENOME RESEARCH

2 For carrying out section 301 and title IV of the Pub-
3 lic Health Service Act with respect to human genome re-
4 search, ~~\$170,041,000~~ \$164,902,000.

5 JOHN E. FOGARTY INTERNATIONAL CENTER

6 For carrying out the activities at the John E.
7 Fogarty International Center, ~~\$25,313,000~~ \$15,104,000.

8 NATIONAL LIBRARY OF MEDICINE

9 For carrying out section 301 and title IV of the Pub-
10 lic Health Service Act with respect to health information
11 communications, ~~\$141,439,000~~ \$134,858,000, of which
12 \$4,000,000 shall be available until expended for improve-
13 ment of information systems: *Provided*, That in fiscal year
14 1996, the Library may enter into personal services con-
15 tracts for the provision of services in facilities owned, oper-
16 ated, or constructed under the jurisdiction of the National
17 Institutes of Health.

18 OFFICE OF THE DIRECTOR

19 (INCLUDING TRANSFER OF FUNDS)

20 For carrying out the responsibilities of the Office of
21 the Director, National Institutes of Health, ~~\$261,488,000~~
22 \$233,151,000: *Provided*, That funding shall be available for
23 the purchase of not to exceed five passenger motor vehicles
24 for replacement only: *Provided further*, That the Director
25 may direct up to 1 percent of the total amount made avail-

1 able in this Act to all National Institutes of Health appro-
 2 priations to activities the Director may so designate: *Pro-*
 3 *vided further*, That no such appropriation shall be in-
 4 creased or decreased by more than 1 percent by any such
 5 transfers and that the Congress is promptly notified of
 6 the transfer: ~~*Provided further*, That of the funds made~~
 7 ~~available under this heading, \$7,500,000 shall be available~~
 8 ~~for carrying out the activities of the Office of Alternative~~
 9 ~~Medicine under section 404E of the Public Health Service~~
 10 ~~Act.~~

11 BUILDINGS AND FACILITIES

12 For the study of, construction of, and acquisition of
 13 equipment for, facilities of or used by the National Insti-
 14 tutes of Health, including the acquisition of real property,
 15 ~~\$146,151,000~~ \$140,384,000, to remain available until ex-
 16 pended.

17 OFFICE OF AIDS RESEARCH

18 (INCLUDING TRANSFER OF FUNDS)

19 *For carrying out part D of title XXIII of the Public*
 20 *Health Service Act, \$1,388,678,000: Provided, That the Di-*
 21 *rector of the Office of AIDS Research shall transfer from*
 22 *this appropriation the amounts necessary to carry out sec-*
 23 *tion 2353(d) of the Act.*

1 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

2 ADMINISTRATION

3 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

4 For carrying out titles V and XIX of the Public
 5 Health Service Act with respect to substance abuse and
 6 mental health services, the Protection and Advocacy for
 7 Mentally Ill Individuals Act of 1986, and section 301 of
 8 the Public Health Service Act with respect to program
 9 management, ~~\$1,788,946,000~~ *\$1,669,928,000*.

10 RETIREMENT PAY AND MEDICAL BENEFITS FOR

11 COMMISSIONED OFFICERS

12 For retirement pay and medical benefits of Public
 13 Health Service Commissioned Officers as authorized by
 14 law, and for payments under the Retired Serviceman's
 15 Family Protection Plan and Survivor Benefit Plan and for
 16 medical care of dependents and retired personnel under
 17 the Dependents' Medical Care Act (10 U.S.C. ch. 55), and
 18 for payments pursuant to section 229(b) of the Social Se-
 19 curity Act (42 U.S.C. 429(b)), such amounts as may be
 20 required during the current fiscal year.

21 AGENCY FOR HEALTH CARE POLICY AND RESEARCH

22 HEALTH CARE POLICY AND RESEARCH

23 For carrying out titles III and IX of the Public
 24 Health Service Act, and part A of title XI of the Social
 25 Security Act, ~~\$85,423,000, together with not to exceed~~

1 ~~\$5,796,000~~ \$62,230,000 together with not to exceed
 2 \$5,796,000 to be transferred from the Federal Hospital In-
 3 surance and the Federal Supplementary Medical Insur-
 4 ance Trust Funds, as authorized by sections 1142 and
 5 201(g) of the Social Security Act; in addition, amounts
 6 received from Freedom of Information Act fees, reimburs-
 7 able and interagency agreements, and the sale of data
 8 tapes shall be credited to this appropriation and shall re-
 9 main available until expended: *Provided*, That the amount
 10 made available pursuant to section 926(b) of the Public
 11 Health Service Act shall not exceed ~~\$34,284,000~~
 12 \$59,284,000.

13 HEALTH CARE FINANCING ADMINISTRATION

14 GRANTS TO STATES FOR MEDICAID

15 For carrying out, except as otherwise provided, titles
 16 XI and XIX of the Social Security Act, \$55,094,355,000,
 17 to remain available until expended.

18 For making, after May 31, 1996, payments to States
 19 under title XIX of the Social Security Act for the last
 20 quarter of fiscal year 1996 for unanticipated costs, in-
 21 curred for the current fiscal year, such sums as may be
 22 necessary.

23 For making payments to States under title XIX of
 24 the Social Security Act for the first quarter of fiscal year

1 1997, \$26,155,350,000, to remain available until ex-
2 pended.

3 Payment under title XIX may be made for any quar-
4 ter with respect to a State plan or plan amendment in
5 effect during such quarter, if submitted in or prior to such
6 quarter and approved in that or any subsequent quarter.

7 PAYMENTS TO HEALTH CARE TRUST FUNDS

8 For payment to the Federal Hospital Insurance and
9 the Federal Supplementary Medical Insurance Trust
10 Funds, as provided under sections 217(g) and 1844 of the
11 Social Security Act, sections 103(c) and 111(d) of the So-
12 cial Security Amendments of 1965, section 278(d) of Pub-
13 lic Law 97-248, and for administrative expenses incurred
14 pursuant to section 201(g) of the Social Security Act,
15 \$63,313,000,000.

16 PROGRAM MANAGEMENT

17 For carrying out, except as otherwise provided, titles
18 XI, XVIII, and XIX of the Social Security Act, and title
19 XIII of the Public Health Service Act, the Clinical Labora-
20 tory Improvement Amendments of 1988, and section
21 4005(e) of Public Law 100-203, not to exceed
22 ~~\$2,134,533,000~~ \$2,105,869,000, together with all funds
23 collected in accordance with section 353 of the Public
24 Health Service Act, the latter funds to remain available
25 until expended; the ~~\$2,134,533,000~~ \$2,105,869,000, to be

1 transferred to this appropriation as authorized by section
2 201(g) of the Social Security Act, from the Federal Hos-
3 pital Insurance and the Federal Supplementary Medical
4 Insurance Trust Funds: *Provided*, That all funds derived
5 in accordance with 31 U.S.C. 9701 from organizations es-
6 tablished under title XIII of the Public Health Service Act
7 are to be credited to this appropriation.

8 HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN
9 GUARANTEE FUND

10 For carrying out subsections (d) and (e) of section
11 1308 of the Public Health Service Act, any amounts re-
12 ceived by the Secretary in connection with loans and loan
13 guarantees under title XIII of the Public Health Service
14 Act, to be available without fiscal year limitation for the
15 payment of outstanding obligations. During fiscal year
16 1996, no commitments for direct loans or loan guarantees
17 shall be made.

18 ADMINISTRATION FOR CHILDREN AND FAMILIES

19 FAMILY SUPPORT PAYMENTS TO STATES

20 For making payments to States or other non-Federal
21 entities, except as otherwise provided, under titles I, IV-
22 A (other than section 402(g)(6)) and D, X, XI, XIV, and
23 XVI of the Social Security Act, and the Act of July 5,
24 1960 (24 U.S.C. ch. 9), \$13,614,307,000, to remain avail-
25 able until expended.

1 For making, after May 31 of the current fiscal year,
 2 payments to States or other non-Federal entities under
 3 titles I, IV–A and D, X, XI, XIV, and XVI of the Social
 4 Security Act, for the last three months of the current year
 5 for unanticipated costs, incurred for the current fiscal
 6 year, such sums as may be necessary.

7 For making payments to States or other non-Federal
 8 entities under titles I, IV–A (other than section 402(g)(6))
 9 and D, X, XI, XIV, and XVI of the Social Security Act
 10 and the Act of July 5, 1960 (24 U.S.C. ch. 9) for the
 11 first quarter of fiscal year 1997, \$4,800,000,000, to re-
 12 main available until expended.

13 JOB OPPORTUNITIES AND BASIC SKILLS

14 For carrying out aid to families with dependent chil-
 15 dren work programs, as authorized by part F of title IV
 16 of the Social Security Act, \$1,000,000,000.

17 LOW INCOME HOME ENERGY ASSISTANCE

18 (INCLUDING RESCISSION)

19 Of the funds made available beginning on October 1,
 20 1995 under this heading in Public Law 103–333,
 21 ~~\$1,000,000,000~~ \$100,000,000 are hereby rescinded.

22 *For making payments under title XXVI of the Omni-*
 23 *bus Budget Reconciliation Act of 1981, \$1,000,000,000, to*
 24 *be available for obligation in the period October 1, 1996*
 25 *through September 30, 1997.*

1 *For making payments under title XXVI of the Omni-*
 2 *bus Budget Reconciliation Act of 1981, an additional*
 3 *\$600,000,000: Provided, That all of the funds available*
 4 *under this paragraph are hereby designated by Congress to*
 5 *be emergency requirements pursuant to section*
 6 *251(b)(2)(D) of the Balanced Budget and Emergency Defi-*
 7 *cit Control Act of 1985: Provided further, That these funds*
 8 *shall be made available only after submission to Congress*
 9 *of a formal budget request by the President that includes*
 10 *designation of the entire amount of the request as an emer-*
 11 *gency requirement as defined in the Balanced Budget and*
 12 *Emergency Deficit Control Act of 1985.*

13 REFUGEE AND ENTRANT ASSISTANCE

14 For making payments for refugee and entrant assist-
 15 ance activities authorized by title IV of the Immigration
 16 and Nationality Act and section 501 of the Refugee Edu-
 17 cation Assistance Act of 1980 (Public Law 96-422),
 18 ~~\$411,781,000~~ \$397,172,000: *Provided, That funds appro-*
 19 *priated pursuant to section 414(a) of the Immigration and*
 20 *Nationality Act under Public Law 103-112 for fiscal year*
 21 *1994 shall be available for the costs of assistance provided*
 22 *and other activities conducted in such year and in fiscal*
 23 *years 1995 and 1996.*

24 COMMUNITY SERVICES BLOCK GRANT

25 *For making payments under the Community Services*
 26 *Block Grant Act and section 408 of Public Law 99-425,*

1 *\$431,483,000: Provided, That such funds to the extent they*
2 *are distributed as grant funds by a State to an eligible en-*
3 *tity as provided under the Act, and have not been expended*
4 *by such entity, shall remain with such entity for carry-over*
5 *into the next fiscal year for expenditure by such entity con-*
6 *sistent with program purposes.*

7 CHILD CARE AND DEVELOPMENT BLOCK GRANT

8 For carrying out sections 658A through 658R of the
9 Omnibus Budget Reconciliation Act of 1981 (The Child
10 Care and Development Block Grant Act of 1990),
11 \$934,642,000, which shall be available for obligation
12 under the same statutory terms and conditions applicable
13 in the prior fiscal year.

14 SOCIAL SERVICES BLOCK GRANT

15 For making grants to States pursuant to section
16 2002 of the Social Security Act, ~~\$2,800,000,000~~
17 *\$2,520,000,000: Provided, That notwithstanding section*
18 *2003(c) of such Act, the amount specified for allocation*
19 *under such section for fiscal year 1996 shall be*
20 *\$2,520,000,000.*

21 CHILDREN AND FAMILIES SERVICES PROGRAMS

22 For carrying out, except as otherwise provided, the
23 Runaway and Homeless Youth Act, the Developmental
24 Disabilities Assistance and Bill of Rights Act, the Head
25 Start Act, the Child Abuse Prevention and Treatment Act,

1 the Family Violence Prevention and Services Act, the Na-
 2 tive American Programs Act of 1974, title II of Public
 3 Law 95–266 (adoption opportunities), the Temporary
 4 Child Care for Children with Disabilities and Crisis Nurs-
 5 eries Act of 1986, the Abandoned Infants Assistance Act
 6 of 1988, and part B(1) of title IV of the Social Security
 7 Act; for making payments under the Community Services
 8 Block Grant Act; and for necessary administrative ex-
 9 penses to carry out said Acts and titles I, IV, X, XI, XIV,
 10 XVI, and XX of the Social Security Act, the Act of July
 11 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconcili-
 12 ation Act of 1981, title IV of the Immigration and Nation-
 13 ality Act, section 501 of the Refugee Education Assistance
 14 Act of 1980, and section 126 and titles IV and V of Public
 15 Law 100–485, ~~\$4,544,643,000~~ *\$4,129,169,000*.

16 In addition, ~~\$800,000~~ *\$25,900,000*, to be derived from
 17 the Violent Crime Reduction Trust Fund, for carrying out
 18 sections ~~40211~~ *40155, 40211, 40241, and 40251* of Public
 19 Law 103–322.

20 FAMILY PRESERVATION AND SUPPORT

21 For carrying out section 430 of the Social Security
 22 Act, \$225,000,000.

1 PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION
 2 ASSISTANCE

3 For making payments to States or other non-Federal
 4 entities, under title IV-E of the Social Security Act,
 5 ~~\$4,307,842,000~~ *\$4,322,238,000*.

6 ADMINISTRATION ON AGING

7 AGING SERVICES PROGRAMS

8 For carrying out, to the extent not otherwise pro-
 9 vided, the Older Americans Act of 1965, as amended,
 10 ~~\$778,246,000~~ *\$836,027,000*.

11 OFFICE OF THE SECRETARY

12 GENERAL DEPARTMENTAL MANAGEMENT

13 For necessary expenses, not otherwise provided, for
 14 general departmental management, including hire of six
 15 medium sedans, and for carrying out titles ~~III and XX~~
 16 *III, XVII, XX, and XXI* of the Public Health Service Act,
 17 ~~\$116,826,000~~ *\$133,722,000*, together with ~~\$6,813,000~~
 18 *\$6,628,000*, to be transferred and expended as authorized
 19 by section 201(g)(1) of the Social Security Act from the
 20 Hospital Insurance Trust Fund and the Supplemental
 21 Medical Insurance Trust Fund.

22 OFFICE OF INSPECTOR GENERAL

23 For expenses necessary for the Office of Inspector
 24 General in carrying out the provisions of the Inspector
 25 General Act of 1978, as amended, ~~\$56,333,000~~

1 *\$55,945,000*, together with not to exceed ~~*\$17,623,000*~~
 2 *\$19,996,000*, to be transferred and expended as authorized
 3 by section 201(g)(1) of the Social Security Act from the
 4 Hospital Insurance Trust Fund and the Supplemental
 5 Medical Insurance Trust Fund.

6 OFFICE FOR CIVIL RIGHTS

7 For expenses necessary for the Office for Civil
 8 Rights, ~~*\$10,249,000*~~ *\$16,153,000*, together with not to ex-
 9 ceed ~~*\$3,251,000*~~ *\$3,314,000*, to be transferred and ex-
 10 pended as authorized by section 201(g)(1) of the Social
 11 Security Act from the Hospital Insurance Trust Fund and
 12 the Supplemental Medical Insurance Trust Fund.

13 POLICY RESEARCH

14 For carrying out, to the extent not otherwise pro-
 15 vided, research studies under section 1110 of the Social
 16 Security Act, ~~*\$9,000,000*~~ *\$14,500,000*.

17 GENERAL PROVISIONS

18 SEC. 201. Funds appropriated in this title shall be
 19 available for not to exceed \$37,000 for official reception
 20 and representation expenses when specifically approved by
 21 the Secretary.

22 SEC. 202. The Secretary shall make available through
 23 assignment not more than 60 employees of the Public
 24 Health Service to assist in child survival activities and to
 25 work in AIDS programs through and with funds provided

1 by the Agency for International Development, the United
2 Nations International Children's Emergency Fund or the
3 World Health Organization.

4 SEC. 203. None of the funds appropriated under this
5 Act may be used to implement section 399L(b) of the Pub-
6 lic Health Service Act ~~or section 1503 of the National In-~~
7 ~~stitutes of Health Revitalization Act of 1993, Public Law~~
8 ~~103-43.~~

9 SEC. 204. None of the funds made available by this
10 Act may be used to withhold payment to any State under
11 the Child Abuse Prevention and Treatment Act by reason
12 of a determination that the State is not in compliance with
13 section 1340.2(d)(2)(ii) of title 45 of the Code of Federal
14 Regulations. This provision expires upon the date of enact-
15 ment of the reauthorization of the Child Abuse Prevention
16 and Treatment Act or upon September 30, 1996, which-
17 ever occurs first.

18 SEC. 205. None of the funds appropriated in this title
19 for the National Institutes of Health and the Substance
20 Abuse and Mental Health Services Administration shall
21 be used to pay the salary of an individual, through a grant
22 or other extramural mechanism, at a rate in excess of
23 \$125,000 per year.

24 ~~SEC. 206. Taps and other assessments made by any~~
25 ~~office located in the Department of Health and Human~~

1 Services shall be treated as a reprogramming of funds ex-
2 cept that this provision shall not apply to assessments re-
3 quired by authorizing legislation, or related to working
4 capital funds or other fee-for-service activities.

5 *Sec. 206. None of the funds appropriated in this Act*
6 *may be expended pursuant to section 241 of the Public*
7 *Health Service Act, except for funds specifically provided*
8 *for in this Act, prior to the Secretary's preparation and*
9 *submission of a report to the Committee on Appropriations*
10 *of the Senate and of the House detailing the planned uses*
11 *of such funds.*

12 (TRANSFER OF FUNDS)

13 SEC. 207. Of the funds appropriated or otherwise
14 made available for the Department of Health and Human
15 Services, General Departmental Management, for fiscal
16 year 1996, the Secretary of Health and Human Services
17 shall transfer to the Office of the Inspector General such
18 sums as may be necessary for any expenses with respect
19 to the provision of security protection for the Secretary
20 of Health and Human Services.

21 ~~SEC. 208. None of the funds appropriated in this Act~~
22 ~~may be obligated or expended for the Federal Council on~~
23 ~~Aging under the Older Americans Act or the Advisory~~
24 ~~Board on Child Abuse and Neglect under the Child Abuse~~
25 ~~Prevention and Treatment Act.~~

1 ~~SEC. 209.~~ None of the funds appropriated in this or
 2 any other Act may be obligated or expended for the posi-
 3 ~~tion of Surgeon General of the Public Health Service.~~

4 *SEC. 210. Of the budgetary resources available to the*
 5 *Department of Health and Human Services, under the*
 6 *heading, “National Institutes of Health”, for administra-*
 7 *tive expenses during fiscal year 1996, \$41,665,000 are per-*
 8 *manently canceled.*

9 This title may be cited as the “Department of Health
 10 and Human Services Appropriations Act, 1996”.

11 TITLE III—DEPARTMENT OF EDUCATION

12 EDUCATION REFORM

13 ~~For carrying out activities authorized by titles II and~~
 14 ~~III of the School-to-Work Opportunities Act, \$95,000,000,~~
 15 ~~which~~ *For carrying out activities authorized by titles III*
 16 *and IV of the Goals 2000: Educate America Act and titles*
 17 *II, III, and IV of the School-to-Work Opportunities Act,*
 18 *\$432,500,000, of which \$310,000,000 for the Goals 2000:*
 19 *Educate America Act and \$122,500,000 for the School-to-*
 20 *Work Opportunities Act shall become available on July 1,*
 21 *1996, and remain available through September 30, 1997:*
 22 *Provided, That notwithstanding section 311(e) of Public*
 23 *Law 103–227, the Secretary is authorized to grant up to*
 24 *six additional State education agencies authority to waive*

1 *Federal statutory or regulatory requirements for fiscal year*
 2 *1996 and succeeding fiscal years.*

3 EDUCATION FOR THE DISADVANTAGED

4 For carrying out title I of the Elementary and Sec-
 5 ondary Education Act of 1965, ~~\$6,014,499,000, which~~
 6 ~~shall become available on July 1, 1996 and shall remain~~
 7 ~~available through September 30, 1997: Provided, and sec-~~
 8 *tion 418A of the Higher Education Act, \$6,517,166,000, of*
 9 *which \$6,500,827,000 shall become available on July 1,*
 10 *1996 and shall remain available through September 30,*
 11 *1997: Provided, That \$5,266,863,000 shall be available for*
 12 *basic grants under section 1124, which shall be allocated*
 13 *without regard to section 1124(d): Provided further, That*
 14 *up to \$3,500,000 of these funds shall be available to the*
 15 *Secretary on October 1, 1995 and shall remain available*
 16 *through September 30, 1997, to obtain updated local-edu-*
 17 *cational-agency-level census poverty data from the Bureau*
 18 *of the Census: Provided further, That \$692,341,000 shall*
 19 *be available for concentration grants under section 1124(A)*
 20 *and \$3,370,000 shall be available for evaluations under sec-*
 21 *tion 1501:—Provided further, That no funds shall be re-*
 22 **served under section 1003(a) of said Act.**

23 IMPACT AID

24 For carrying out programs of financial assistance to
 25 federally affected schools authorized by title VIII of the

1 Elementary and Secondary Education Act of 1965,
 2 ~~\$645,000,000, of which \$550,000,000~~ *\$677,959,000, of*
 3 *which \$581,170,000 shall be for basic support payments*
 4 *under section 8003(b), \$40,000,000 shall be for payments*
 5 *for children with disabilities under section 8003(d),*
 6 ~~\$50,000,000~~ *\$36,800,000, to remain available until ex-*
 7 *pendent, shall be for payments under section 8003(f), and*
 8 *\$5,000,000 shall be for construction under section 8007,*
 9 *and \$14,989,000 shall be for Federal property payments*
 10 *under section 8002:—Provided, That none of the funds pro-*
 11 *vided shall be used for payments under section 8003(e).*

12 SCHOOL IMPROVEMENT PROGRAMS

13 For carrying out school improvement activities au-
 14 thorized by titles II, IV-A-1, V-A, VI, ~~and X~~ *section 7203,*
 15 *and titles IX, X and XIII of the Elementary and Second-*
 16 *ary Education Act of 1965 and 1965; the Stewart B.*
 17 *McKinney Homeless Assistance Act; and the Civil Rights*
 18 *Act of 1964; ~~\$842,000,000, of which \$723,000,000~~*
 19 *\$1,157,623,000 of which \$975,760,000 shall become avail-*
 20 *able on July 1, 1996, and remain available through Sep-*
 21 *tember 30, 1997: Provided, That of the amount appro-*
 22 *priated, \$275,000,000 shall be for Eisenhower professional*
 23 *development State grants under title II-B and*
 24 *\$275,000,000 shall be for innovative education program*
 25 *strategies State grants under title VI-A: Provided further,*

1 *That not less than \$3,000,000 shall be for innovative pro-*
 2 *grams under section 5111: Provided further, That*
 3 *\$200,000,000 shall be transferred to the Substance Abuse*
 4 *and Mental Health Services Administration for youth sub-*
 5 *stance abuse prevention which shall become available on*
 6 *July 1, 1996, and remain available through September 30,*
 7 *1997.*

8 BILINGUAL AND IMMIGRANT EDUCATION

9 For carrying out, to the extent not otherwise pro-
 10 vided, bilingual and immigrant education activities author-
 11 ized by title VII of the Elementary and Secondary Edu-
 12 cation Act, ~~\$103,000,000~~ \$172,959,000 of which
 13 \$15,144,000 shall be for training activities under subpart
 14 3 of part A of title VII, and \$50,000,000 shall be for immi-
 15 grant education programs authorized by part C: *Provided,*
 16 That State educational agencies may use all, or any part
 17 of, their part C allocation for competitive grants to local
 18 educational agencies: ~~*Provided further, That the Depart-*~~
 19 ~~ment of Education should only support instructional pro-~~
 20 ~~grams which ensure that students completely master Eng-~~
 21 ~~lish in a timely fashion (a period of three to five years)~~
 22 ~~while meeting rigorous achievement standards in the aca-~~
 23 ~~demic content areas: *Provided further, That no funds shall*~~
 24 ~~be available for subpart 3 of part A.~~

1 SPECIAL EDUCATION

2 For carrying out parts B, C, D, *E*, F, *G*, and H *and*
 3 *section 610(j)(2)(C)* of the Individuals with Disabilities
 4 Education Act, ~~\$3,092,491,000~~ \$3,245,447,000, of which
 5 \$3,000,000,000 shall become available for obligation on
 6 July 1, 1996, and shall remain available through Septem-
 7 ber 30, 1997: *Provided, That the Republic of the Marshall*
 8 *Islands and the Federated States of Micronesia shall be con-*
 9 *sidered jurisdictions for the purposes of section 611(e)(1),*
 10 *of the Individuals with Disabilities Education Act.*

11 REHABILITATION SERVICES AND DISABILITY RESEARCH

12 For carrying out, to the extent not otherwise pro-
 13 vided, the Rehabilitation Act of 1973, the Technology-Re-
 14 lated Assistance for Individuals with Disabilities Act, and
 15 the Helen Keller National Center Act, as amended,
 16 ~~\$2,455,760,000~~ \$2,452,620,000.

17 SPECIAL INSTITUTIONS FOR PERSONS WITH
 18 DISABILITIES

19 AMERICAN PRINTING HOUSE FOR THE BLIND

20 For carrying out the Act of March 3, 1879, as
 21 amended (20 U.S.C. 101 et seq.), ~~\$4,000,000~~ \$6,680,000.

22 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

23 For the National Technical Institute for the Deaf
 24 under titles I and II of the Education of the Deaf Act
 25 of 1986 (20 U.S.C. 4301 et seq.), ~~\$39,737,000~~
 26 \$43,041,000 of which \$336,000 shall be for the endowment

1 *program as authorized under section 207 and shall be avail-*
 2 *able until expended:—Provided, That from the amount*
 3 *available, the Institute may at its discretion use funds for*
 4 *the endowment program as authorized under section 207.*

5 GALLAUDET UNIVERSITY

6 For the Kendall Demonstration Elementary School,
 7 the Model Secondary School for the Deaf, and the partial
 8 support of Gallaudet University under titles I and II of
 9 the Education of the Deaf Act of 1986 (20 U.S.C. 4301
 10 et seq.), ~~\$72,028,000~~: \$80,030,000 of which \$1,000,000
 11 shall be for the endowment program as authorized under
 12 section 207, and shall be available until expended:—~~Pro-~~
 13 ~~vided, That from the amount available, the University may~~
 14 ~~at its discretion use funds for the endowment program as~~
 15 ~~authorized under section 207.~~

16 VOCATIONAL AND ADULT EDUCATION

17 For carrying out, to the extent not otherwise pro-
 18 vided, the Carl D. Perkins Vocational and Applied Tech-
 19 nology Education Act, the Adult Education Act, and the
 20 National Literacy Act of 1991, ~~\$1,062,788,000~~
 21 ~~\$1,273,627,000~~, of which \$4,869,000 shall be for the Na-
 22 tional Institute for Literacy; and of which ~~\$1,055,000,000~~
 23 ~~\$1,270,708,000~~ shall become available on July 1, 1996 and
 24 shall remain available through September 30, 1997: *Pro-*
 25 *vided, That of the amounts made available under the Carl*
 26 *D. Perkins Vocational and Applied Technology Education*

1 Act, ~~\$1,000,000~~ \$9,430,000 shall be for national programs
 2 under title IV without regard to section 451 *and \$350,000*
 3 *shall be for evaluations under section 346(b) of the Act.*

4 STUDENT FINANCIAL ASSISTANCE

5 For carrying out subparts 1 and 3 of part A, part
 6 C, and part E of title IV of the Higher Education Act
 7 of 1965, as amended, ~~\$6,916,915,000~~ \$6,751,290,000,
 8 which shall remain available through September 30, 1997:
 9 *Provided, That notwithstanding section 401(a)(1) of the*
 10 *Act, there shall be not to exceed 3,768,000 Pell Grant recipi-*
 11 *ents in award year 1995–1996.*

12 The maximum Pell Grant for which a student shall
 13 be eligible during award year 1996–1997 shall be \$2,440:
 14 *Provided, That notwithstanding section 401(g) of the Act,*
 15 *as amended, if the Secretary determines, prior to publica-*
 16 *tion of the payment schedule for award year 1996–1997,*
 17 *that the \$5,697,000,000 \$5,400,000,000 included within*
 18 *this appropriation for Pell Grant awards for award year*
 19 *1996–1997, and any funds available from the fiscal year*
 20 *1995 appropriation for Pell Grant awards, are insufficient*
 21 *to satisfy fully all such awards for which students are eli-*
 22 *gible, as calculated under section 401(b) of the Act, the*
 23 *amount paid for each such award shall be reduced by ei-*
 24 *ther a fixed or variable percentage, or by a fixed dollar*
 25 *amount, as determined in accordance with a schedule of*

1 reductions established by the Secretary for this purpose:—
 2 *Provided further,* That no Pell grant shall be awarded to
 3 any student during award year 1996–1997 if the amount
 4 of that grant as determined under section 401(b) of the
 5 Act is less than \$600.

6 FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

7 For Federal administrative expenses to carry out
 8 guaranteed student loans authorized by title IV, part B,
 9 of the Higher Education Act, as amended, \$30,066,000.

10 HIGHER EDUCATION

11 For carrying out, to the extent not otherwise pro-
 12 vided, parts A and B of title III, without regard to section
 13 360(a)(1)(B)(ii), ~~chapter 4 of subpart 2~~ *and subpart 6* of
 14 part A of title IV, subpart 2 of part E of title V, parts
 15 A and B of title VI, ~~title VII~~ *B and C of title VI, title*
 16 *VII, part D of title IX, and parts B, C, D, F, and G of*
 17 *title IX*, part A and subpart 1 of part B of title X, *part*
 18 *A of title XI* of the Higher Education Act of 1965, as
 19 amended, *Public Law 102–423* and the Mutual Edu-
 20 cational and Cultural Exchange Act of 1961;
 21 ~~\$757,700,000~~ *\$850,325,000*, of which \$16,712,000 for in-
 22 terest subsidies under title VII of the Higher Education
 23 Act, as amended, shall remain available until expended:
 24 *Provided, That \$1,750,000 shall be available for National*
 25 *Science Scholars as authorized prior to October 20, 1994.*

HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), ~~\$170,366,000~~ \$182,348,000, of which \$3,372,000, to remain available until expended shall be for a matching endowment grant to be administered in accordance with the Howard University Endowment Act (Public Law 98-480).

HIGHER EDUCATION FACILITIES LOANS

The Secretary is hereby authorized to make such expenditures, within the limits of funds available under this heading and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation, as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 9104), as may be necessary in carrying out the program for the current fiscal year.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS

PROGRAM

For administrative expenses to carry out the existing direct loan program of college housing and academic facilities loans entered into pursuant to title VII, part C, of the Higher Education Act, as amended, \$700,000.

COLLEGE HOUSING LOANS

Pursuant to title VII, part C of the Higher Education Act, as amended, for necessary expenses of the college

1 housing loans program, previously carried out under title
2 IV of the Housing Act of 1950, the Secretary shall make
3 expenditures and enter into contracts without regard to
4 fiscal year limitation using loan repayments and other re-
5 sources available to this account. Any unobligated bal-
6 ances becoming available from fixed fees paid into this ac-
7 count pursuant to 12 U.S.C. 1749d, relating to payment
8 of costs for inspections and site visits, shall be available
9 for the operating expenses of this account.

10 HISTORICALLY BLACK COLLEGE AND UNIVERSITY

11 CAPITAL FINANCING, PROGRAM ACCOUNT

12 The total amount of bonds insured pursuant to sec-
13 tion 724 of title VII, part B of the Higher Education Act
14 shall not exceed \$357,000,000, and the cost, as defined
15 in section 502 of the Congressional Budget Act of 1974,
16 of such bonds shall not exceed zero.

17 For administrative expenses to carry out the Histori-
18 cally Black College and University Capital Financing Pro-
19 gram entered into pursuant to title VII, part B of the
20 Higher Education Act, as amended, \$166,000.

21 EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

22 For carrying out activities authorized by the Edu-
23 cational Research, Development, Dissemination, and Im-
24 provement Act; the National Education Statistics Act;
25 ~~part A of title III, parts A and B and section 10601 of~~

1 title X of the Elementary and Secondary Education Act
 2 of 1965, as amended, \$250,238,000: *Provided, That*
 3 ~~\$3,000,000~~ section 2102, parts A, B, C, and D of title III,
 4 parts A, B, I, K, and L and section 10601 of title X, parts
 5 B and C of title XIII of the Elementary and Secondary
 6 Education Act of 1965, as amended, and title VI of the
 7 Goals 2000: Educate America Act, \$322,601,000: *Provided,*
 8 *That \$4,106,000 shall be for section 10601 of the Elemen-*
 9 *tary and Secondary Education Act: Provided further, That*
 10 ~~\$25,000,000~~ \$15,000,000 shall be for section 3136 (*K–12*
 11 *technology learning challenges*) and \$10,000,000 shall be for
 12 section 3141 of the Elementary and Secondary Education
 13 Act (~~K–12 technology learning challenge~~): *Provided fur-*
 14 *ther, That none of the funds appropriated in this para-*
 15 *graph may be obligated or expended for the Goals 2000*
 16 *Community Partnerships Program: Provided further, That*
 17 *\$41,000,000 shall be for regional laboratories, \$28,500,000*
 18 *shall be for national research centers, \$6,000,000 shall be*
 19 *for International Education Exchange, \$2,000,000 shall be*
 20 *for Extended Time and Learning, and \$3,000,000 shall be*
 21 *for the elementary mathematics and science equipment*
 22 *projects under the fund for the improvement of education.*

LIBRARIES

24 For carrying out, to the extent not otherwise pro-
 25 vided, titles ~~I and III~~ I, II, III, and IV of the Library

1 Services and Construction Act, ~~\$101,227,000~~ and title II–
 2 B of the Higher Education Act, \$131,503,000, of which
 3 \$16,369,000 shall be used to carry out the provisions of title
 4 II of the Library Services and Construction Act and shall
 5 remain available until expended; and \$4,523,000 shall be
 6 for section 222 and \$2,000,000 shall be for section 223 of
 7 the Higher Education Act: Provided, That \$1,000,000 shall
 8 be awarded to a nonprofit foundation using multi-media
 9 technology to document and archive not less than 40,000
 10 holocaust survivors' testimony: Provided further, That
 11 \$1,000,000 shall be for the continuation of a demonstration
 12 project making information available for public use by con-
 13 necting Internet to a multistate consortium.

14 DEPARTMENTAL MANAGEMENT

15 PROGRAM ADMINISTRATION

16 For carrying out, to the extent not otherwise pro-
 17 vided, the Department of Education Organization Act, in-
 18 cluding rental of conference rooms in the District of Co-
 19 lumbia and hire of two passenger motor vehicles,
 20 \$327,319,000.

21 OFFICE FOR CIVIL RIGHTS

22 For expenses necessary for the Office for Civil
 23 Rights, as authorized by section 203 of the Department
 24 of Education Organization Act, ~~\$53,951,000~~ \$55,451,000.

1 OFFICE OF THE INSPECTOR GENERAL

2 For expenses necessary for the Office of the Inspector
3 General, as authorized by section 212 of the Department
4 of Education Organization Act, ~~\$28,154,000~~ *\$28,654,000*.

5 HEADQUARTERS RENOVATION

6 For necessary expenses for the renovation of the De-
7 partment of Education headquarters building, \$7,000,000,
8 to remain available until September 30, 1998.

9 GENERAL PROVISIONS

10 SEC. 301. No funds appropriated in this Act may be
11 used for the transportation of students or teachers (or for
12 the purchase of equipment for such transportation) in
13 order to overcome racial imbalance in any school or school
14 system, or for the transportation of students or teachers
15 (or for the purchase of equipment for such transportation)
16 in order to carry out a plan of racial desegregation of any
17 school or school system.

18 SEC. 302. None of the funds contained in this Act
19 shall be used to require, directly or indirectly, the trans-
20 portation of any student to a school other than the school
21 which is nearest the student's home, except for a student
22 requiring special education, to the school offering such
23 special education, in order to comply with title VI of the
24 Civil Rights Act of 1964. For the purpose of this section
25 an indirect requirement of transportation of students in-
26 cludes the transportation of students to carry out a plan

1 involving the reorganization of the grade structure of
2 schools, the pairing of schools, or the clustering of schools,
3 or any combination of grade restructuring, pairing or clus-
4 tering. The prohibition described in this section does not
5 include the establishment of magnet schools.

6 SEC. 303. No funds appropriated under this Act may
7 be used to prevent the implementation of programs of vol-
8 untary prayer and meditation in the public schools.

9 ~~SEC. 304. No funds appropriated under this Act shall~~
10 ~~be made available for opportunity to learn standards or~~
11 ~~strategies.~~

12 SEC. 305. Notwithstanding any other provision of
13 law, funds available for section 458 of the Higher Edu-
14 cation Act shall not exceed ~~\$320,000,000~~ *\$378,000,000* for
15 fiscal year 1996, of which \$160,000,000 shall be available
16 for the payment of administrative cost allowances to guar-
17 anty agencies. ~~The Department of Education shall, within~~
18 ~~30 days of enactment, develop a plan for the payment of~~
19 ~~administrative cost allowances which shall be submitted to~~
20 ~~the Chairs of the House Committee on Economic and~~
21 ~~Educational Opportunities and the Senate Committee on~~
22 ~~Labor and Human Resources~~ *in accordance with any stat-*
23 *utory formula enacted prior to March 31, 1996.* Notwith-
24 standing section 458 of the Higher Education Act, the
25 Secretary may not use funds available under that section

1 for subsequent fiscal years for administrative expenses of
2 the William D. Ford Direct Loan Program during fiscal
3 year 1996,~~nor may the Secretary require the return of~~
4 ~~guaranty agency reserve funds during fiscal year 1996.~~

5 No funds available to the Secretary may be used for
6 (1) marketing, advertising or promotion of the William D.
7 Ford Direct Loan Program, or for the hiring of advertis-
8 ing agencies or other third parties to provide advertising
9 services,~~or (2) payment of administrative fees relating to~~
10 ~~the William D. Ford Direct Loan Program to institutions~~
11 ~~of higher education.~~

12 None of the funds provided by this Act may be used
13 to hire staff at the Department of Education if such hiring
14 would increase on-board employment at the Department
15 as of the date of enactment of this Act.

16 None of the funds provided by this Act may be used
17 to conduct an evaluation of the William D. Ford Direct
18 Loan Program except as administered by the Advisory
19 Committee on Student Financial Assistance.

20 None of the funds provided by this Act may be used
21 by the Department of Education to implement new Indi-
22 vidual Procurement Agreements (IPAs).

23 SEC. 306. None of the funds appropriated in this Act
24 may be obligated or expended to carry out sections 727,
25 932, and 1002 of the Higher Education Act of 1965, sec-

1 tion 621(b) of Public Law 101–589, the President’s Advi-
2 sory Commission on Educational Excellence for Hispanic
3 Americans, and the President’s Board of Advisors on His-
4 torically Black Colleges and Universities.

5 SEC. 307. Section 444(b)(1)(E) of the General Edu-
6 cation Provisions Act (20 U.S.C. 1232g(b)(1)(E)) is
7 amended to read as follows:

8 “(E) State and local officials or authorities to
9 whom such information is specifically—

10 “(i) required to be reported or disclosed
11 pursuant to State statute adopted before No-
12 vember 19, 1974;

13 “(ii) allowed to be reported or disclosed
14 pursuant to State statute adopted before No-
15 vember 19, 1974, if the allowed reporting or
16 disclosure concerns the juvenile justice system
17 and such system’s ability to effectively serve the
18 student whose records are released, or

19 “(iii) allowed to be reported or disclosed
20 pursuant to State statute adopted after Novem-
21 ber 19, 1974, if—

22 “(I) the allowed reporting or disclo-
23 sure concerns the juvenile justice system
24 and such system’s ability to effectively

1 serve, prior to adjudication, the student
2 whose records are released; and

3 “(II) the officials and authorities to
4 whom such information is disclosed certify
5 in writing to the educational agency or in-
6 stitution that the information will not be
7 disclosed to any other party except as pro-
8 vided under State law without the prior
9 written consent of the parent of the stu-
10 dent;”.

11 ~~SEC. 308.~~ None of the funds made available in this
12 Act may be used by the Office of Civil Rights of the De-
13 partment of Education after December 31, 1995, to en-
14 force title IX of the Education Amendments of 1972 (20
15 U.S.C. 1681 et seq.) with respect to gender equity in inter-
16 collegiate athletic programs, except when it is made known
17 to the Office that the Department has issued updated pol-
18 icy guidance to institutions of higher education which in-
19 cludes specific criteria clarifying how such institutions can
20 demonstrate a history and continuing practice of program
21 expansion for members of the underrepresented sex and
22 full and effective accommodation of the interests and abili-
23 ties of the underrepresented sex.

24 This title may be cited as the “Department of Edu-
25 cation Appropriations Act, 1996”.

1 TITLE IV—RELATED AGENCIES

2 ARMED FORCES RETIREMENT HOME

3 For expenses necessary for the Armed Forces Retire-
4 ment Home to operate and maintain the United States
5 Soldiers' and Airmen's Home and the United States Naval
6 Home, to be paid from funds available in the Armed
7 Forces Retirement Home Trust Fund, ~~\$58,186,000~~
8 ~~\$53,755,000~~, of which ~~\$2,051,000~~ *\$1,857,000* shall remain
9 available until expended for construction and renovation
10 of the physical plants at the United States Soldiers' and
11 Airmen's Home and the United States Naval Home: *Pro-*
12 *vided*, That this appropriation shall not be available for
13 the payment of hospitalization of members of the Soldiers'
14 and Airmen's Home in United States Army hospitals at
15 rates in excess of those prescribed by the Secretary of the
16 Army upon recommendation of the Board of Commis-
17 sioners and the Surgeon General of the Army.

18 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

19 DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING

20 EXPENSES

21 For expenses necessary for the Corporation for Na-
22 tional and Community Service to carry out the provisions
23 of the Domestic Volunteer Service Act of 1973, as amend-
24 ed, ~~\$168,974,000~~ *\$200,892,000*.

1 CORPORATION FOR PUBLIC BROADCASTING

2 For payment to the Corporation for Public Broad-
3 casting, as authorized by the Communications Act of
4 1934, without regard to section 396(k)(3)(B)(iii), an
5 amount which shall be available within limitations speci-
6 fied by that Act, for the fiscal year 1998, ~~\$240,000,000~~
7 ~~\$260,000,000: Provided, That all funds appropriated here-~~
8 ~~in shall be made available only if authorized: Provided fur-~~
9 ~~ther,~~ That no funds made available to the Corporation for
10 Public Broadcasting by this Act shall be used to pay for
11 receptions, parties, or similar forms of entertainment for
12 Government officials or employees: *Provided further,* That
13 none of the funds contained in this paragraph shall be
14 available or used to aid or support any program or activity
15 from which any person is excluded, or is denied benefits,
16 or is discriminated against, on the basis of race, color, na-
17 tional origin, religion, or sex: ~~*Provided further,* That for~~
18 ~~any fiscal year,~~ the Secretary of the Treasury shall, not-
19 withstanding section 396(k)(2)(B) of the Communications
20 Act of 1934, make funds available to the Corporation for
21 Public Broadcasting in accordance with the payment
22 methods required under Office of Management and Budg-
23 et Circular A-110 to minimize the time between the trans-
24 fer of funds from the Federal Treasury and the outlay
25 or expenditure of such funds by the Corporation.

1 FEDERAL MEDIATION AND CONCILIATION SERVICE
2 SALARIES AND EXPENSES

3 For expenses necessary for the Federal Mediation
4 and Conciliation Service to carry out the functions vested
5 in it by the Labor Management Relations Act, 1947 (29
6 U.S.C. 171–180, 182–183), including hire of passenger
7 motor vehicles; and for expenses necessary for the Labor-
8 Management Cooperation Act of 1978 (29 U.S.C. 175a);
9 and for expenses necessary for the Service to carry out
10 the functions vested in it by the Civil Service Reform Act,
11 Public Law 95–454 (5 U.S.C. chapter 71), ~~\$31,896,000~~
12 *\$31,896,000 including \$1,500,000, to remain available*
13 *through September 30, 1997, for activities authorized by the*
14 *Labor Management Cooperation Act of 1978 (29 U.S.C.*
15 *175a): Provided, That notwithstanding 31 U.S.C. 3302, fees*
16 *charged for special training activities up to full-cost recov-*
17 *ery shall be credited to and merged with this account, and*
18 *shall remain available until expended: Provided further,*
19 *That the Director of the Service is authorized to accept on*
20 *behalf of the United States gifts of services and real, per-*
21 *sonal, or other property in the aid of any projects or func-*
22 *tions within the Director's jurisdiction.*

4 For expenses necessary for the Federal Mine Safety
5 and Health Review Commission (30 U.S.C. 801 et seq.),
6 ~~\$6,467,000~~ *\$6,200,000*.

9 SALARIES AND EXPENSES

10 For necessary expenses for the National Commission
11 on Libraries and Information Science, established by the
12 Act of July 20, 1970 (Public Law 91-345, as amended
13 by Public Law 102-95), ~~\$450,000~~ *\$829,000*.

15 SALARIES AND EXPENSES

For expenses necessary for the National Council on
Disability as authorized by title IV of the Rehabilitation
Act of 1973, as amended, ~~\$1,397,000~~ *\$1,793,000*.

20 *For expenses necessary for the National Education*
21 *Goals Panel, as authorized by title II, part A of the Goals*
22 *2000: Educate America Act, \$1,000,000.*

1 NATIONAL LABOR RELATIONS BOARD

2 SALARIES AND EXPENSES

3 For expenses necessary for the National Labor Rela-
4 tions Board to carry out the functions vested in it by the
5 Labor-Management Relations Act, 1947, as amended (29
6 U.S.C. 141–167), and other laws, ~~\$123,233,000~~
7 *\$176,047,000: Provided, That no part of this appropriation*
8 *shall be available to organize or assist in organizing agri-*
9 *cultural laborers or used in connection with investigations,*
10 *hearings, directives, or orders concerning bargaining units*
11 *composed of agricultural laborers as referred to in section*
12 *2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as*
13 *amended by the Labor-Management Relations Act, 1947,*
14 *as amended, and as defined in section 3(f) of the Act of*
15 *June 25, 1938 (29 U.S.C. 203), and including in said defi-*
16 *nition employees engaged in the maintenance and oper-*
17 *ation of ditches, canals, reservoirs, and waterways when*
18 *maintained or operated on a mutual, nonprofit basis and*
19 *at least 95 per centum of the water stored or supplied*
20 *thereby is used for farming purposes:—Provided further,*
21 *That notwithstanding any other provisions of law, no part*
22 *of this appropriation may be used by the National Labor*
23 *Relations Board for the investigation or prosecution of al-*
24 *leged unfair labor practice charges under section 8 of the*
25 *National Labor Relations Act, where such charges are*

1 based, in whole or in part, on an employer's taking any
2 adverse action, including refusal to hire, discipline, or dis-
3 charge, against an individual(s) who is an employee or
4 agent or is otherwise working under the control and super-
5 vision of a labor organization, until such time as the Unit-
6 ed States Supreme Court has held that such individual(s)
7 are or are not protected under section 8 of the National
8 Labor Relations Act: *Provided further*, That no part of
9 this appropriation may be used by the National Labor Re-
10 lations Board to petition a United States district court
11 for temporary relief or a restraining order as described
12 under section 10(j) of the National Labor Relations Act
13 unless there is a reasonable likelihood of success on the
14 merits of the complaint that an unfair labor practice has
15 occurred, there is a possibility of irreparable harm if such
16 relief is not granted, a balancing of hardships favors in-
17 junctive relief, and harm to the public interest stemming
18 from injunctive relief is tolerable in light of the benefits
19 achieved by such relief: *Provided further*, That no part of
20 this appropriation shall be available for the exercise of the
21 National Labor Relations Board's authority under section
22 10(j) of the National Labor Relations Act (29 U.S.C.
23 160(j)) unless four-fifths of the Board's members have
24 voted to exercise such authority, where five Board mem-
25 bers are voting: *Provided further*, That no part of this ap-

1 propriation shall be available for the exercise of the Na-
 2 tional Labor Relations Board's authority under section
 3 10(j) of the National Labor Relations Act (~~29 U.S.C.~~
 4 ~~160(j))~~ unless before determining that an action for in-
 5 junctive relief is warranted the Board allows a named
 6 party to an injunction an opportunity to review and re-
 7 spond to the General Counsel's memorandum of rec-
 8 ommendations and to present oral evidence.

9 NATIONAL MEDIATION BOARD

10 SALARIES AND EXPENSES

11 For expenses necessary to carry out the provisions
 12 of the Railway Labor Act, as amended (45 U.S.C. 151-
 13 188), including emergency boards appointed by the Presi-
 14 dent, ~~\$8,000,000~~ *\$7,837,000*.

15 OCCUPATIONAL SAFETY AND HEALTH REVIEW

16 COMMISSION

17 SALARIES AND EXPENSES

18 For expenses necessary for the Occupational Safety
 19 and Health Review Commission (29 U.S.C. 661),
 20 ~~\$8,200,000~~ *\$7,595,000*.

21 PHYSICIAN PAYMENT REVIEW COMMISSION

22 SALARIES AND EXPENSES

23 For expenses necessary to carry out section 1845(a)
 24 of the Social Security Act, ~~\$2,923,000~~ *\$3,842,000*, to be

1 transferred to this appropriation from the Federal Supple-
2 mentary Medical Insurance Trust Fund.

3 PROSPECTIVE PAYMENT ASSESSMENT COMMISSION

4 SALARIES AND EXPENSES

5 For expenses necessary to carry out section 1886(e)
6 of the Social Security Act, ~~\$3,267,000~~ \$4,294,000, to be
7 transferred to this appropriation from the Federal Hos-
8 pital Insurance and the Federal Supplementary Medical
9 Insurance Trust Funds.

10 SOCIAL SECURITY ADMINISTRATION

11 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

12 For payment to the Federal Old-Age and Survivors
13 Insurance and the Federal Disability Insurance trust
14 funds, as provided under sections 201(m), 228(g), and
15 1131(b)(2) of the Social Security Act, \$22,641,000.

16 In addition, to reimburse these trust funds for admin-
17 istrative expenses to carry out sections 9704 and 9706 of
18 the Internal Revenue Code of 1986, \$10,000,000, to re-
19 main available until expended.

20 SPECIAL BENEFITS FOR DISABLED COAL MINERS

21 For carrying out title IV of the Federal Mine Safety
22 and Health Act of 1977, \$485,396,000, to remain avail-
23 able until expended.

24 For making, after July 31 of the current fiscal year,
25 benefit payments to individuals under title IV of the Fed-

1 eral Mine Safety and Health Act of 1977, for costs in-
2 curred in the current fiscal year, such amounts as may
3 be necessary.

4 For making benefit payments under title IV of the
5 Federal Mine Safety and Health Act of 1977 for the first
6 quarter of fiscal year 1997, \$170,000,000, to remain
7 available until expended.

8 SUPPLEMENTAL SECURITY INCOME PROGRAM

9 For carrying out titles XI and XVI of the Social Se-
10 curity Act, section 401 of Public Law 92-603, section 212
11 of Public Law 93-66, as amended, and section 405 of
12 Public Law 95-216, including payment to the Social Secu-
13 rity trust funds for administrative expenses incurred pur-
14 suant to section 201(g)(1) of the Social Security Act,
15 ~~\$18,753,834,000~~ \$18,601,012,000, to remain available
16 until expended: *Provided*, That any portion of the funds
17 provided to a State in the current fiscal year and not obli-
18 gated by the State during that year shall be returned to
19 the Treasury.

20 For making, after June 15 of the current fiscal year,
21 benefit payments to individuals under title XVI of the So-
22 cial Security Act, for unanticipated costs incurred for the
23 current fiscal year, such sums as may be necessary.

1 For carrying out title XVI of the Social Security Act
2 for the first quarter of fiscal year 1997, \$9,260,000,000,
3 to remain available until expended.

4 LIMITATION ON ADMINISTRATIVE EXPENSES

5 For necessary expenses, including the hire of two me-
6 dium size passenger motor vehicles, and not to exceed
7 \$10,000 for official reception and representation expenses,
8 not more than ~~\$5,275,268,000~~ \$5,271,183,000 may be ex-
9 pended, as authorized by section 201(g)(1) of the Social
10 Security Act or as necessary to carry out sections 9704
11 and 9706 of the Internal Revenue Code of 1986 from any
12 one or all of the trust funds referred to therein: *Provided,*
13 That reimbursement to the trust funds under this heading
14 for administrative expenses to carry out sections 9704 and
15 9706 of the Internal Revenue Code of 1986 shall be made,
16 with interest, not later than September 30, 1997.

17 In addition to funding already available under this
18 heading, and subject to the same terms and conditions,
19 \$407,000,000, for disability caseload processing.

20 In addition to funding already available under this
21 heading, and subject to the same terms and conditions,
22 ~~\$228,000,000~~ \$167,000,000, which shall remain available
23 until expended, to invest in a state-of-the-art computing
24 network, including related equipment and administrative
25 expenses associated solely with this network, for the Social

1 Security Administration and the State Disability Deter-
2 mination Services, may be expended from any or all of
3 the trust funds as authorized by section 201(g)(1) of the
4 Social Security Act.

5 OFFICE OF INSPECTOR GENERAL

6 For expenses necessary for the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act of 1978, as amended, \$4,816,000, together
9 with not to exceed \$21,076,000, to be transferred and ex-
10 pended as authorized by section 201(g)(1) of the Social
11 Security Act from the Federal Old-Age and Survivors In-
12 surance Trust Fund and the Federal Disability Insurance
13 Trust Fund.

14 RAILROAD RETIREMENT BOARD

15 DUAL BENEFITS PAYMENTS ACCOUNT

16 For payment to the Dual Benefits Payments Ac-
17 count, authorized under section 15(d) of the Railroad Re-
18 tirement Act of 1974, \$239,000,000, which shall include
19 amounts becoming available in fiscal year 1996 pursuant
20 to section 224(c)(1)(B) of Public Law 98-76; and in addi-
21 tion, an amount, not to exceed 2 percent of the amount
22 provided herein, shall be available proportional to the
23 amount by which the product of recipients and the average
24 benefit received exceeds \$239,000,000: *Provided*, That the
25 total amount provided herein shall be credited in 12 ap-

1 proximately equal amounts on the first day of each month
2 in the fiscal year.

3 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT
4 ACCOUNTS

5 For payment to the accounts established in the
6 Treasury for the payment of benefits under the Railroad
7 Retirement Act for interest earned on unnegotiated
8 checks, \$300,000, to remain available through September
9 30, 1997, which shall be the maximum amount available
10 for payment pursuant to section 417 of Public Law
11 98-76.

12 LIMITATION ON ADMINISTRATION

13 For necessary expenses for the Railroad Retirement
14 Board in administering the Railroad Retirement Act and
15 the Railroad Unemployment Insurance Act, ~~\$90,912,000~~
16 *\$83,639,000*, to be derived as authorized by section 15(h)
17 of the Railroad Retirement Act and section 10(a) of the
18 Railroad Unemployment Insurance Act, from the accounts
19 referred to in those sections.

20 SPECIAL MANAGEMENT IMPROVEMENT FUND

21 To effect management improvements, including the
22 reduction of backlogs, accuracy of taxation accounting,
23 and debt collection, \$659,000, to be derived from the rail-
24 road retirement accounts and railroad unemployment in-
25 surance account: *Provided*, That these funds shall supple-

1 ment, not supplant, existing resources devoted to such op-
2 erations and improvements.

3 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

4 For expenses necessary for the Office of Inspector
5 General for audit, investigatory and review activities, as
6 authorized by the Inspector General Act of 1978, as
7 amended, not more than ~~\$5,100,000~~ \$6,147,000, to be de-
8 rived from the railroad retirement accounts and railroad
9 unemployment insurance account.

10 UNITED STATES INSTITUTE OF PEACE

11 OPERATING EXPENSES

12 For necessary expenses of the United States Institute
13 of Peace as authorized in the United States Institute of
14 Peace Act, ~~\$6,500,000~~ \$11,500,000.

15 TITLE V—GENERAL PROVISIONS

16 SEC. 501. The Secretaries of Labor, Health and
17 Human Services, and Education are authorized to transfer
18 unexpended balances of prior appropriations to accounts
19 corresponding to current appropriations provided in this
20 Act: *Provided*, That such transferred balances are used for
21 the same purpose, and for the same periods of time, for
22 which they were originally appropriated.

23 SEC. 502. No part of any appropriation contained in
24 this Act shall remain available for obligation beyond the
25 current fiscal year unless expressly so provided herein.

1 SEC. 503. (a) No part of any appropriation contained
2 in this Act shall be used, other than for normal and recog-
3 nized executive-legislative relationships, for publicity or
4 propaganda purposes, for the preparation, distribution, or
5 use of any kit, pamphlet, booklet, publication, radio, tele-
6 vision, or film presentation designed to support or defeat
7 legislation pending before the Congress, except in presen-
8 tation to the Congress itself.

9 (b) No part of any appropriation contained in this
10 Act shall be used to pay the salary or expenses of any
11 grant or contract recipient, or agent acting for such recipi-
12 ent, related to any activity designed to influence legislation
13 or appropriations pending before the Congress.

14 SEC. 504. The Secretaries of Labor and Education
15 are each authorized to make available not to exceed
16 \$15,000 from funds available for salaries and expenses
17 under titles I and III, respectively, for official reception
18 and representation expenses; the Director of the Federal
19 Mediation and Conciliation Service is authorized to make
20 available for official reception and representation expenses
21 not to exceed \$2,500 from the funds available for “Sala-
22 ries and expenses, Federal Mediation and Conciliation
23 Service”; and the Chairman of the National Mediation
24 Board is authorized to make available for official reception
25 and representation expenses not to exceed \$2,500 from

1 funds available for “Salaries and expenses, National Medi-
2 ation Board”.

3 SEC. 505. Notwithstanding any other provision of
4 this Act, no funds appropriated under this Act shall be
5 used to carry out any program of distributing sterile nee-
6 dles for the hypodermic injection of any illegal drug unless
7 the Secretary of Health and Human Services determines
8 that such programs are effective in preventing the spread
9 of HIV and do not encourage the use of illegal drugs.

10 SEC. 506. (a) PURCHASE OF AMERICAN-MADE
11 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-
12 gress that, to the greatest extent practicable, all equip-
13 ment and products purchased with funds made available
14 in this Act should be American-made.

15 (b) NOTICE REQUIREMENT.—In providing financial
16 assistance to, or entering into any contract with, any en-
17 tity using funds made available in this Act, the head of
18 each Federal agency, to the greatest extent practicable,
19 shall provide to such entity a notice describing the state-
20 ment made in subsection (a) by the Congress.

21 SEC. 507. When issuing statements, press releases,
22 requests for proposals, bid solicitations and other docu-
23 ments describing projects or programs funded in whole or
24 in part with Federal money, all grantees receiving Federal
25 funds, including but not limited to State and local govern-

1 ments and recipients of Federal research grants, shall
2 clearly state (1) the percentage of the total costs of the
3 program or project which will be financed with Federal
4 money, (2) the dollar amount of Federal funds for the
5 project or program, and (3) percentage and dollar amount
6 of the total costs of the project or program that will be
7 financed by nongovernmental sources.

8 SEC. 508. None of the funds appropriated under this
9 Act shall be expended for any abortion except when it is
10 made known to the Federal entity or official to which
11 funds are appropriated under this Act that such procedure
12 is necessary to save the life of the mother or that the preg-
13 nancy is the result of an act of rape or incest.

14 ~~SEC. 509. Effective October 1, 1993, and applicable~~
15 ~~thereafter, and notwithstanding any other law, each State~~
16 ~~is and remains free not to fund abortions to the extent~~
17 ~~that the State in its sole discretion deems appropriate, ex-~~
18 ~~cept where the life of the mother would be endangered if~~
19 ~~the fetus were carried to term.~~

20 SEC. 510. Notwithstanding any other provision of
21 law—

22 (1) no amount may be transferred from an ap-
23 propriation account for the Departments of Labor,
24 Health and Human Services, and Education except
25 as authorized in this or any subsequent appropria-

1 tion act, or in the Act establishing the program or
2 activity for which funds are contained in this Act;

3 (2) no department, agency, or other entity,
4 other than the one responsible for administering the
5 program or activity for which an appropriation is
6 made in this Act, may exercise authority for the tim-
7 ing of the obligation and expenditure of such appro-
8 priation, or for the purposes for which it is obligated
9 and expended, except to the extent and in the man-
10 ner otherwise provided in sections 1512 and 1513 of
11 title 31, United States Code; and

12 (3) no funds provided under this Act shall be
13 available for the salary (or any part thereof) of an
14 employee who is reassigned on a temporary detail
15 basis to another position in the employing agency or
16 department or in any other agency or department,
17 unless the detail is independently approved by the
18 head of the employing department or agency.

19 ~~SEC. 511. None of the funds made available in this~~
20 ~~Act may be used for—~~

21 ~~(1) the creation of a human embryo or embryos~~
22 ~~for research purposes; or~~

23 ~~(2) research in which a human embryo or em-~~
24 ~~bryos are destroyed, discarded, or knowingly sub-~~
25 ~~jected to risk of injury or death greater than that~~

1 allowed for research on fetuses in utero under 45
2 CFR 46.208(a)(2) and 42 U.S.C. 289g(b).

3 For purposes of this section, the phrase “human embryo
4 or embryos” shall include any organism, not protected as
5 a human subject under 45 CFR 46 as of the date of enact-
6 ment of this Act, that is derived by fertilization, par-
7 thenogenesis, cloning, or any other means from one or
8 more human gametes.

9 ~~SEC. 512.~~ None of the funds made available in this
10 Act may be used to carry out any Federal program, or
11 to provide financial assistance to any State, when it is
12 made known to the Federal official having authority to
13 obligate or expend such funds that—

14 (1) such Federal program or State subject any
15 health care entity to discrimination on the basis
16 that—

17 (A) the entity refuses to undergo training
18 in the performance of induced abortions, to pro-
19 vide such training, to perform such abortions,
20 or to provide referrals for such abortions;

21 (B) the entity refuses to make arrange-
22 ments for any of the activities specified in sub-
23 paragraph (A); or

24 (C) the entity attends (or attended) a post-
25 graduate physician training program, or any

1 other program of training in the health profes-
2 sions, that does not (or did not) require or pro-
3 vide training in the performance of induced
4 abortions, or make arrangements for the provi-
5 sion of such training; or

6 ~~(2) in granting a legal status to a health care~~
7 entity (including a license or certificate), or in pro-
8 viding to the entity financial assistance, a service, or
9 another benefit, such Federal program or State re-
10 quire that the entity be an accredited postgraduate
11 physician training program, or that the entity have
12 completed or be attending such a program, if the ap-
13 plicable standards for accreditation of the program
14 include the standard that the program must require
15 or provide training in the performance of induced
16 abortions, or make arrangements for the provision of
17 such training.

18 SEC. 513. ~~(a) CONGRESSIONAL FINDINGS REGARD-~~
19 ING APPROPRIATE MINIMUM LENGTH OF STAY FOR ROU-
20 TINE DELIVERIES.—The Congress finds that—

21 (1) the Guidelines for Perinatal Care of the
22 American Academy of Pediatrics and the American
23 College of Obstetricians and Gynecologists rec-
24 ommend, when no complications are present, a
25 postpartum hospital stay of 48 hours for vaginal de-

1 livery and 96 hours for caesarean birth, excluding
2 the day of delivery;

3 (2) the American College of Obstetricians and
4 Gynecologists reports that it has become common for
5 insurers to limit length of stay to up to 24 hours fol-
6 lowing vaginal delivery and up to 72 hours following
7 caesarean delivery, and the American College of Ob-
8 stetricians and Gynecologists has received reports of
9 insurers proposing limits of 12 hours, and in some
10 cases 6 hours, for routine deliveries;

11 (3) the American Medical Association recently
12 expressed concern about the trend toward increas-
13 ingly brief perinatal hospital stays as routine prac-
14 tice in the absence of adequate data to demonstrate
15 the practice is safe;

16 (4) the American College of Obstetricians and
17 Gynecologists has stated that the trend toward ear-
18 lier discharge is “equivalent to a large, uncontrolled,
19 uninformed experiment that may potentially affect
20 the health of American women and their babies”;

21 (5) a recent study by Dartmouth-Hitchcock
22 Medical Center found that within an infant’s first
23 two weeks of life there is a 50 percent increased risk
24 of readmission and 70 percent increased risk of

1 emergency room visits if the infant is discharged at
2 less than two days of age;

3 (6) studies have shown that early release of in-
4 fants can result in jaundice, feeding problems, res-
5 piratory difficulties, and infections of the cord, ears,
6 and eyes;

7 (7) the American Medical Association has urged
8 hospitals and insurance companies, in the absence of
9 empirical data, to allow the perinatal discharge of
10 mothers and infants to be determined by the clinical
11 judgment of attending physicians not by economic
12 considerations; and

13 (8) the American Medical Association rec-
14 ommends that the decision regarding perinatal dis-
15 charge should be made based on the criteria of medi-
16 cal stability, delivery of adequate predischARGE edu-
17 cation, need for neonatal screening, and determina-
18 tion that adequate feeding is occurring and with
19 consideration of the mother's social and emotional
20 needs and preferences.

21 (b) SENSE OF THE CONGRESS.—It is, therefore, the
22 sense of Congress that—

23 (1) the Maternal and Child Health Bureau
24 should promptly collaborate with other concerned
25 national organizations to encourage well-designed

1 studies, separating economic concerns from concerns
2 about the health and well-being of mothers and chil-
3 dren, to identify safe neonatal practices with regard
4 to the hospital discharge of mothers and infants and
5 establish appropriate medical care procedures during
6 the perinatal period;

7 (2) decisions on how long mothers and
8 newborns should stay in the hospital after delivery
9 and before discharge should be made by doctors and
10 patients together based on the medical and health
11 care needs of the mother and newborn and not by
12 hospitals, health insurers, health services organiza-
13 tions, and health benefit plans based primarily on
14 economic considerations; and

15 (3) until further empirical data are collected so
16 as to indicate a need for change in current Guide-
17 lines, hospitals, health insurers, health services orga-
18 nizations, and health benefit plans should abide by
19 the current Guidelines for Perinatal Care of the
20 American Academy of Pediatrics and the American
21 College of Obstetricians and Gynecologists, that
22 state that the general time for discharge for mother
23 and baby should be at least 48 hours following un-
24 complicated vaginal delivery and at least 96 hours

1 following uncomplicated caesarian birth and that
2 permit early discharge if specified criteria are met.

3 SEC. 514. LIMITATION ON USE OF FUNDS.—None
4 of the funds made available in this Act may be used for
5 the expenses of an electronic benefit transfer (EBT) task
6 force.

7 ~~SEC. 515. CPI INDEX.—None of the funds made~~
8 ~~available in this Act may be used by the Bureau of Labor~~
9 ~~Statistics to implement a change in the consumer price~~
10 ~~index (which is used to determine cost of living adjust-~~
11 ~~ments for such programs as social security) except when~~
12 ~~it is made known to the Federal official to whom the funds~~
13 ~~are made available that the House of Representatives and~~
14 ~~the Senate have authorized a change in such index based~~
15 ~~upon a comprehensive revision of the market basket.~~

16 SEC. 516. None of the funds made available in this
17 Act may be used to enforce the requirements of section
18 428(b)(1)(U)(iii) of the Higher Education Act of 1965
19 with respect to any lender when it is made known to the
20 Federal official having authority to obligate or expend
21 such funds that the lender has a loan portfolio under part
22 B of title IV of such Act that is equal to or less than
23 \$5,000,000.

24 SEC. 517. None of the funds made available in this
25 Act may be used for grants to students at an institution

1 of higher education under the Pell Grant program under
 2 subpart 1 of part A of the Higher Education Act of 1965
 3 when it is made known to the Federal official having au-
 4 thority to obligate or expend such funds that such institu-
 5 tion is ineligible to participate in a loan program under
 6 part B of title IV of such Act as a result of a default
 7 rate determination under section 435(a) of such Act.

8 SEC. 518.—The amount otherwise provided by this
 9 Act for “Corporation for National and Community Serv-
 10 ice—Domestic Volunteer Service Programs, Operating
 11 Expenses” is hereby increased by \$13,793,000.

12 SEC. 519. OTHER PROGRAMS.—In addition to
 13 amounts otherwise provided in this Act, for carrying out
 14 programs under the head “SCHOOL IMPROVEMENT PRO-
 15 GRAMS”; for carrying out programs under the head “VO-
 16 CATIONAL AND ADULT EDUCATION”, respectively,
 17 \$50,000,000 and \$100,000,000, to be derived from
 18 amounts under the head “AGENCY FOR HEALTH CARE
 19 POLICY AND RESEARCH—HEALTH CARE POLICY AND RE-
 20 SEARCH”, \$60,000,000: *Provided, That, notwithstanding*
 21 *any other provision in this Act, none of the funds under*
 22 *the head “AGENCY FOR HEALTH CARE POLICY AND RE-*
 23 *SEARCH—HEALTH CARE POLICY AND RESEARCH” shall be*
 24 *expended from the Federal Hospital Insurance and the*
 25 *Federal Supplementary Medical Insurance Trust Funds.*

1 *SEC. 520. No more than 1 percent of salaries appro-*
 2 *priated for each Agency in this Act may be expended by*
 3 *that Agency on cash performance awards: Provided, That*
 4 *of the budgetary resources available to Agencies in this Act*
 5 *for salaries and expenses during fiscal year 1996,*
 6 *\$30,500,000, to be allocated by the Office of Management*
 7 *and Budget, are permanently canceled: Provided further,*
 8 *That the foregoing proviso shall not apply to the Food and*
 9 *Drug Administration and the Indian Health Service.*

10 **TITLE VI—POLITICAL ADVOCACY**

11 **PROHIBITION ON THE USE OF FEDERAL FUNDS FOR**
 12 **POLITICAL ADVOCACY**

13 **SEC. 601. (a) LIMITATIONS.—**Notwithstanding any
 14 other provision of law, the following limitations apply to
 15 any grant which is made from funds appropriated under
 16 this or any other Act or controlled under any congressional
 17 authorization until Congress provides specific exceptions
 18 in subsequent Acts:

19 (1) No grantee may use funds from any grant
 20 to engage in political advocacy.

21 (2) No grant applicant, except an individual
 22 person, may receive any grant if its expenditures for
 23 political advocacy for any one of the previous five
 24 Federal fiscal years exceeded its prohibited political
 25 advocacy threshold (but no Federal fiscal year before

1 ~~1996 shall be considered).~~ For purposes of this title,
2 the prohibited political advocacy threshold for a
3 given Federal fiscal year is to be determined by the
4 following formula:

5 (A) calculate the difference between the
6 grant applicant's total expenditures made in a
7 given Federal fiscal year and the total grants it
8 received in that Federal fiscal year;

9 (B) ~~for the first \$20,000,000 of the dif-~~
10 ~~ference calculated in (A), multiply by .05;~~

11 (C) for the remainder of the difference cal-
12 culated in (A), multiply by .01;

13 (D) ~~the sum of the products described in~~
14 ~~(B) and (C) equals the prohibited political ad-~~
15 ~~vocacy threshold.~~

16 (3) During any one Federal fiscal year in which
17 a grantee, except an individual person, has posses-
18 sion, custody or control of grant funds, the grantee,
19 except an individual person, shall not use any funds
20 (whether derived from grants or otherwise) to en-
21 gage in political advocacy in excess of its prohibited
22 political advocacy threshold for the prior Federal fis-
23 cal year.

24 (4) No grantee may use funds from any grant
25 to purchase or secure any goods or services (includ-

1 ing dues and membership fees) from any other indi-
2 vidual, entity, or organization whose expenditures
3 for political advocacy for the previous Federal fiscal
4 year exceeded 15 percent of its total expenditures
5 for that Federal fiscal year.

6 (5) No grantee may use funds from any grant
7 for any purpose (including but not limited to extend-
8 ing subsequent grants to any other individual, en-
9 tity, or organization) other than to purchase or se-
10 cure goods or services, except as specifically per-
11 mitted by Congress in the law authorizing the grant.

12 (6) Any individual, entity, or organization that
13 awards or administers a grant shall take reasonable
14 steps to ensure that the grantee complies with the
15 requirements of this title. Reasonable steps to en-
16 sure compliance shall include written notice to a
17 grantee that it is receiving a grant, and that the
18 provisions of this title apply to the grantee.

19 (b) ENFORCEMENT.—The following enforcement pro-
20 visions apply with respect to the limitations imposed under
21 subsection (a):

22 (1) Each grantee shall be subject to audit from
23 time to time as follows:

24 (A) Audits may be requested and con-
25 ducted by the General Accounting Office or

1 other auditing entity authorized by Congress,
2 including the inspector general of the Federal
3 entity awarding or administering the grant.

4 (B) Grantees shall follow generally accept-
5 ed accounting principles in keeping books and
6 records relating to each grant and no Federal
7 entity may impose more burdensome accounting
8 requirements for purposes of enforcing this
9 title.

10 (C) A grantee that engages in political ad-
11 vocacy shall have the burden of proving, by
12 clear and convincing evidence, that it is in com-
13 pliance with the limitations of this section.

14 (2) Violations by a grantee of the limitations
15 contained in subsection (a) may be enforced and the
16 grant may be recovered in the same manner and to
17 the same extent as a false or fraudulent claim for
18 payment or approval made to the Federal Govern-
19 ment pursuant to sections 3729 through 3812 of
20 title 31, United States Code.

21 (3) Any officer or employee of the Federal Gov-
22 ernment who awards or administers funds from any
23 grant to a grantee who is not in compliance with
24 this section shall—

1 (A) for knowing or negligent noncompli-
2 ance with this section, be subjected to appro-
3 priate administrative discipline, including, when
4 circumstances warrant, suspension from duty
5 without pay or removal from office; and

6 (B) for knowing noncompliance with this
7 section, pay a civil penalty of not more than
8 \$5,000 for each improper disbursement of
9 funds.

10 (c) DEFINITIONS.—For purposes of this title:

11 (1) POLITICAL ADVOCACY.—The term “political
12 advocacy” includes—

13 (A) carrying on propaganda, or otherwise
14 attempting to influence legislation or agency ac-
15 tion, including, but not limited to monetary or
16 in-kind contributions, endorsements, publicity,
17 or similar activity;

18 (B) participating or intervening in (includ-
19 ing the publishing or distributing of statements)
20 any political campaign on behalf of (or in oppo-
21 sition to) any candidate for public office, includ-
22 ing but not limited to monetary or in-kind con-
23 tributions, endorsements, publicity, or similar
24 activity;

1 (C) participating in any judicial litigation
 2 or agency proceeding (including as an amicus
 3 curiae) in which agents or instrumentalities of
 4 Federal, State, or local governments are par-
 5 ties, other than litigation in which the grantee
 6 or grant applicant: is a defendant appearing in
 7 its own behalf; is defending its tax-exempt sta-
 8 tus; or is challenging a government decision or
 9 action directed specifically at the powers, rights,
 10 or duties of that grantee or grant applicant;
 11 and

12 (D) allocating, disbursing, or contributing
 13 any funds or in-kind support to any individual,
 14 entity or organization whose expenditures for
 15 political advocacy for the previous Federal fiscal
 16 year exceeded 15 percent of its total expendi-
 17 tures for that Federal fiscal year.

18 (2) INFLUENCE LEGISLATION OR AGENCY AC-
 19 TION.—

20 (A) GENERAL RULE.—Except as otherwise
 21 provided in subparagraph (B), the term “influ-
 22 ence legislation or agency action” includes—

23 (i) any attempt to influence any legis-
 24 lation or agency action through an attempt

1 to affect the opinions of the general public
2 or any segment thereof, and

3 (ii) any attempt to influence any legis-
4 lation or agency action through commu-
5 nication with any member or employee of
6 a legislative body or agency, or with any
7 government official or employee who may
8 participate in the formulation of the legis-
9 lation or agency action.

10 (B) EXCEPTIONS.—The term “influence
11 legislation or agency action” does not include—

12 (i) making available the results of
13 nonpartisan analysis, study, research, or
14 debate;

15 (ii) providing technical advice or as-
16 sistance (where such advice would other-
17 wise constitute the influencing of legisla-
18 tion or agency action) to a governmental
19 body or to a committee or other subdivi-
20 sion thereof in response to a written re-
21 quest by such body or subdivision, as the
22 case may be;

23 (iii) communications between the
24 grantee and its bona fide members with re-
25 spect to legislation, proposed legislation,

1 agency action, or proposed agency action
2 of direct interest to the grantee and such
3 members, other than communications de-
4 scribed in subparagraph (C);

5 (iv) any communication with a govern-
6 mental official or employee; other than—

7 (I) a communication with a mem-
8 ber or employee of a legislative body
9 or agency (where such communication
10 would otherwise constitute the influ-
11 encing of legislation or agency action);
12 or

13 (II) a communication the prin-
14 cipal purpose of which is to influence
15 legislation or agency action; and

16 (v) official communications by employ-
17 ees of State or local governments, or by or-
18 ganizations whose membership consists ex-
19 clusively of State or local governments.

20 (C) COMMUNICATIONS WITH MEMBERS.—

21 (i) A communication between a grant-
22 ee and any bona fide member of such orga-
23 nization to directly encourage such member
24 to communicate as provided in paragraph

1 ~~(2)(A)(ii)~~ shall be treated as a ~~(2)(A)(ii)~~
2 communication by the grantee itself.

3 ~~(ii)~~ A communication between a
4 grantee and any bona fide member of such
5 organization to directly encourage such
6 member to urge persons other than mem-
7 bers to communicate as provided in either
8 clause ~~(i)~~ or ~~(ii)~~ of paragraph ~~(2)(A)~~ shall
9 be treated as a communication described in
10 paragraph ~~(2)(A)(i)~~.

11 ~~(3)~~ The term “legislation” includes the intro-
12 duction, amendment, enactment, passage, defeat,
13 ratification, or repeal of Acts, bills, resolutions, trea-
14 ties, declarations, confirmations, articles of impeach-
15 ment, or similar items by the Congress, any State
16 legislature, any local council or similar governing
17 body, or by the public in a referendum, initiative,
18 constitutional amendment, recall, confirmation, or
19 similar procedure.

20 ~~(4)~~ The term “grant” includes the provision of
21 any Federal funds, appropriated under this or any
22 other Act, or other thing of value to carry out a pub-
23 lic purpose of the United States, except: the provi-
24 sion of funds for acquisition ~~(by purchase, lease or~~
25 barter) of property or services for the direct benefit

1 or use of the United States; the payments of loans,
 2 debts, entitlements; or the provision of funds to or
 3 distribution of funds by an Article I or III court and
 4 the provision of grant and scholarship funds to stu-
 5 dents for educational purposes.

6 (5) The term “grantee” includes any recipient
 7 of any grant. The term shall not include any state
 8 or local government, but shall include any recipient
 9 receiving a grant (as defined by subsection c(4))
 10 from a state or local government.

11 (6) The term “agency action” includes the defi-
 12 nition contained in section 551 of Title 5, United
 13 States Code, and includes action by state or local
 14 government agencies.

15 (7) The term “agency proceeding” includes the
 16 definition contained in section 551 of Title 5, United
 17 States Code, and includes proceedings by state or
 18 local government agencies.

19 DISCLOSURE REQUIREMENTS

20 SEC. 602. (a) Not later than December 31 of each
 21 year, a grantee, except an individual person, shall provide
 22 (via either electronic or paper medium) to each Federal
 23 entity that awarded or administered its grant an annual
 24 report for the prior Federal fiscal year, certified by the
 25 grantee’s chief executive officer or equivalent person of au-

1 thority, and setting forth: the grantee's name, the grant-
2 ee's identification number, and—

3 ~~(1)~~ a statement that the grantee did not engage
4 in political advocacy; or

5 ~~(2)~~ a statement that the grantee did engage in
6 political advocacy, and setting forth for each grant—

7 ~~(A)~~ the grant identification number;

8 ~~(B)~~ the amount or value of the grant (in-
9 cluding all administrative and overhead costs
10 awarded);

11 ~~(C)~~ a brief description of the purpose or
12 purposes for which the grant was awarded;

13 ~~(D)~~ the identity of each Federal, state and
14 local government entity awarding or administer-
15 ing the grant, and program thereunder;

16 ~~(E)~~ the name and grantee identification
17 number of each individual, entity, or organiza-
18 tion to whom the grantee made a grant;

19 ~~(F)~~ a brief description of the grantee's po-
20 litical advocacy, and a good faith estimate of
21 the grantee's expenditures on political advocacy;

22 ~~(G)~~ a good faith estimate of the grantee's
23 prohibited political advocacy threshold.

24 ~~(b)~~ OMB COORDINATION.—The Office of Manage-
25 ment and Budget shall develop by regulation one stand-

1 ardized form for the annual report that shall be accepted
2 by every Federal entity, and a uniform procedure by which
3 each grantee is assigned one permanent and unique grant-
4 ee identification number.

5 FEDERAL ENTITY REPORT

6 SEC. 603. Not later than May 1 of each calendar
7 year, each Federal entity awarding or administering a
8 grant shall submit to the Bureau of the Census a report
9 (standardized by the Office of Management and Budget)
10 setting forth the information provided to such Federal en-
11 tity by each grantee during the preceding Federal fiscal
12 year, and the name and grantee identification number of
13 each grantee to whom it provided written notice under sec-
14 tion 1(a)(6). The Bureau of the Census shall make this
15 database available to the public through the Internet.

16 PUBLIC ACCOUNTABILITY

17 SEC. 604. (a) Any Federal entity awarding a grant
18 shall make publicly available any grant application, audit
19 of a grantee, list of grantees to whom notice was provided
20 under section 1(a)(6), annual report of a grantee, and that
21 Federal entity's annual report to the Bureau of the Cen-
22 sus.

23 (b) The public's access to the documents identified
24 in section 4(a) shall be facilitated by placement of such
25 documents in the Federal entity's public document reading
26 room and also by expediting any requests under section

1 552 of title 5, United States Code, the Freedom of Infor-
 2 mation Act as amended, ahead of any requests for other
 3 information pending at such Federal entity.

4 (c) Records described in section (a) shall not be sub-
 5 ject to withholding except under exemption (b)(7)(A) of
 6 section 552 of title 5, United States Code.

7 (d) No fees for searching for or copying such docu-
 8 ments shall be charged to the public.

9 SEVERABILITY

10 SEC. 605. If any provision of this title or the applica-
 11 tion thereof to any person or circumstance is held invalid,
 12 the remainder of this title and the application of such pro-
 13 vision to other persons and circumstances shall not be af-
 14 fected thereby.

15 FIRST AMENDMENT RIGHTS PRESERVED

16 SEC. 606. Nothing in this title shall be deemed to
 17 abridge any rights guaranteed under the first amendment
 18 of the United States Constitution, including freedom of
 19 speech, or of the press; or the right of the people peaceably
 20 to assemble, and to petition the Government for a redress
 21 of grievances.

22 TITLE VII—DEFICIT REDUCTION LOCK BOX

23 SEC. 701. SHORT TITLE.—This title may be cited as
 24 the “Deficit Reduction Lock-box Act of 1995”.

25 SEC. 702. DEFICIT REDUCTION LOCK BOX AC-
 26 COUNT.—(a) ESTABLISHMENT OF ACCOUNT.—Title III of

1 the Congressional Budget Act of 1974 is amended by add-
 2 ing at the end the following new section:

3 ~~“DEFICIT REDUCTION LOCK-BOX ACCOUNT~~

4 ~~“SEC. 314. (a) ESTABLISHMENT OF AC-~~
 5 ~~COUNT.—There is established in the Congressional~~
 6 ~~Budget Office an account to be known as the ‘Defi-~~
 7 ~~cit Reduction Lock-box Account’. The Account shall~~
 8 ~~be divided into subaccounts corresponding to the~~
 9 ~~subcommittees of the Committees on Appropriations.~~
 10 ~~Each subaccount shall consist of three entries: the~~
 11 ~~‘House Lock-box Balance’; the ‘Senate Lock-box~~
 12 ~~Balance’; and the ‘Joint House-Senate Lock-box~~
 13 ~~Balance’.~~

14 ~~“(b) CONTENTS OF ACCOUNT.—Each entry in~~
 15 ~~a subaccount shall consist only of amounts credited~~
 16 ~~to it under subsection (c). No entry of a negative~~
 17 ~~amount shall be made.~~

18 ~~“(c) CREDIT OF AMOUNTS TO ACCOUNT.—(1)~~
 19 ~~The Director of the Congressional Budget Office~~
 20 ~~(hereinafter in this section referred to as the ‘Direc-~~
 21 ~~tor’)~~ shall, upon the engrossment of any appropria-
 22 tion bill by the House of Representatives and upon
 23 the engrossment of that bill by the Senate, credit to
 24 the applicable subaccount balance of that House
 25 amounts of new budget authority and outlays equal
 26 to the net amounts of reductions in new budget au-

1 thority and in outlays resulting from amendments
2 agreed to by that House to that bill.

3 ~~“(2) The Director shall, upon the engrossment~~
4 ~~of Senate amendments to any appropriation bill,~~
5 ~~credit to the applicable Joint House-Senate Lock-~~
6 ~~box Balance the amounts of new budget authority~~
7 ~~and outlays equal to—~~

8 ~~“(A) an amount equal to one-half of the~~
9 ~~sum of (i) the amount of new budget authority~~
10 ~~in the House Lock-box Balance plus (ii) the~~
11 ~~amount of new budget authority in the Senate~~
12 ~~Lock-box Balance for that bill; and~~

13 ~~“(B) an amount equal to one-half of the~~
14 ~~sum of (i) the amount of outlays in the House~~
15 ~~Lock-box Balance plus (ii) the amount of out-~~
16 ~~lays in the Senate Lock-box Balance for that~~
17 ~~bill, under section 314(c), as calculated by the~~
18 ~~Director of the Congressional Budget Office.~~

19 ~~“(d) CALCULATION OF LOCK-BOX SAVINGS IN~~
20 ~~SENATE.—For purposes of calculating under this~~
21 ~~section the net amounts of reductions in new budget~~
22 ~~authority and in outlays resulting from amendments~~
23 ~~agreed to by the Senate on an appropriation bill, the~~
24 ~~amendments reported to the Senate by its Commit-~~

tee on Appropriations shall be considered to be part
of the original text of the bill.

“(e) DEFINITION.—As used in this section, the
term ‘appropriation bill’ means any general or spe-
cial appropriation bill, and any bill or joint resolu-
tion making supplemental, deficiency, or continuing
appropriations through the end of a fiscal year.”

(b) CONFORMING AMENDMENT.—The table of con-
tents set forth in section 1(b) of the Congressional Budget
and Impoundment Control Act of 1974 is amended by in-
serting after the item relating to section 313 the following
new item:

“Sec. 314. Deficit reduction lock-box account.”

SEC. 703. TALLY DURING HOUSE CONSIDER-
ATION.—There shall be available to Members in the House
of Representatives during consideration of any appropria-
tions bill by the House a running tally of the amendments
adopted reflecting increases and decreases of budget au-
thority in the bill as reported.

Sec. 704. DOWNWARD ADJUSTMENT OF 602(A) ALLO-
CATIONS AND SECTION 602(B) SUBALLOCATIONS.—(a) AL-
LOCATIONS.—Section 602(a) of the Congressional Budget
Act of 1974 is amended by adding at the end the following
new paragraph:

1 “(5) Upon the engrossment of Senate amend-
2 ments to any appropriation bill (as defined in section
3 314(d)) for a fiscal year, the amounts allocated
4 under paragraph (1) or (2) to the Committee on Ap-
5 propriations of each House upon the adoption of the
6 most recent concurrent resolution on the budget for
7 that fiscal year shall be adjusted downward by the
8 amounts credited to the applicable Joint House-Sen-
9 ate Lock-box Balance under section 314(c)(2), as
10 calculated by the Director of the Congressional
11 Budget Office, and the revised levels of budget au-
12 thority and outlays shall be submitted to each House
13 by the chairman of the Committee on the Budget of
14 that House and shall be printed in the Congressional
15 Record.”.

16 (b) SUBALLOCATIONS.—Section 602(b)(1) of the
17 Congressional Budget Act of 1974 is amended by adding
18 at the end the following new sentence: “Whenever an ad-
19 justment is made under subsection (a)(5) to an allocation
20 under that subsection, the Director of the Congressional
21 Budget Office shall make downward adjustments in the
22 most recent suballocations of new budget authority and
23 outlays under subparagraph (A) to the appropriate sub-
24 committees of that committee in the total amounts of
25 those adjustments under section 314(c)(2). The revised

1 suballocations shall be submitted to each House by the
2 chairman of the Committee on Appropriations of that
3 House and shall be printed in the Congressional Record.”.

4 SEC. 705. PERIODIC REPORTING OF ACCOUNT
5 STATEMENTS.—Section 308(b)(1) of the Congressional
6 Budget Act of 1974 is amended by adding at the end the
7 following new sentence: “Such reports shall also include
8 an up-to-date tabulation of the amounts contained in the
9 account and each subaccount established by section
10 314(a).”.

11 SEC. 706. DOWNWARD ADJUSTMENT OF DISCRE-
12 TIONARY SPENDING LIMITS.—The discretionary spending
13 limit for new budget authority for any fiscal year set forth
14 in section 601(a)(2) of the Congressional Budget Act of
15 1974, as adjusted in strict conformance with section 251
16 of the Balanced Budget and Emergency Deficit Control
17 Act of 1985, shall be reduced by the amount of the adjust-
18 ment to the section 602(a) allocations made under section
19 602(a)(5) of the Congressional Budget Act of 1974, as
20 calculated by the Director of the Office of Management
21 and Budget. The adjusted discretionary spending limit for
22 outlays for that fiscal year, as set forth in such section
23 601(a)(2), shall be reduced as a result of the reduction
24 of such budget authority, as calculated by the Director of
25 the Office of Management and Budget based upon pro-

1 grammatic and other assumptions set forth in the joint
2 explanatory statement of managers accompanying the con-
3 ference report on that bill. Reductions (if any) shall occur
4 upon the enactment of all regular appropriation bills for
5 a fiscal year or a resolution making continuing appropria-
6 tions through the end of that fiscal year. This adjustment
7 shall be reflected in reports under sections 254(g) and
8 254(h) of the Balanced Budget and Emergency Deficit
9 Control Act of 1985.

10 SEC. 707. EFFECTIVE DATE.—(a) IN GENERAL.—
11 This title shall apply to all appropriation bills making ap-
12 propriations for fiscal year 1996 or any subsequent fiscal
13 year.

14 (b) FY96 APPLICATION.—In the case of any appro-
15 priation bill for fiscal year 1996 engrossed by the House
16 of Representatives on or after the date this bill was en-
17 grossed by the House of Representatives and before the
18 date of enactment of this bill, the Director of the Congres-
19 sional Budget Office, the Director of the Office of Man-
20 agement and Budget, and the Committees on Appropria-
21 tions and the Committees on the Budget of the House of
22 Representatives and of the Senate shall, within 10 cal-
23 endar days after that date of enactment of this Act, carry
24 out the duties required by this title and amendments made

1 by it that occur after the date this Act was engrossed by
 2 the House of Representatives.

3 ~~(c) FY96 ALLOCATIONS.~~—The duties of the Director
 4 of the Congressional Budget Office and of the Committees
 5 on Budget and on Appropriations of the House of Rep-
 6 resentatives pursuant to this title and the amendments
 7 made by it regarding appropriation bills for fiscal year
 8 1996 shall be based upon the revised section 602(a) alloca-
 9 tions in effect on the date this Act was engrossed by the
 10 House of Representatives.

11 ~~(d) DEFINITION.~~—As used in this section, the term
 12 “appropriation bill” means any general or special appro-
 13 priation bill, and any bill or joint resolution making sup-
 14 plemental, deficiency, or continuing appropriations
 15 through the end of a fiscal year.

16 This Act may be cited as the “Departments of Labor,
 17 Health and Human Services, and Education, and Related
 18 Agencies Appropriations Act, 1996”.

Passed the House of Representatives August 4 (leg-
 islative day, August 3), 1995.

Attest:

ROBIN H. CARLE,

Clerk.

HR 2127 RS——2

HR 2127 RS——3

HR 2127 RS——4

HR 2127 RS——5

HR 2127 RS—6

HR 2127 RS—7

HR 2127 RS—8